

In the Matter Of:
Georgia State Election Board Meeting

SECRETARY OF STATE

June 03, 2026



ON THE RECORD, LLC

Certified Court Reporters

**225 Main Street
Suite 1913
Hiram, Georgia 30141**

404-604-0342

**DEPOSITIONS
COURT APPEARANCES
TRANSCRIPTION SERVICES**

www.ontherecordllc.com

IN RE: Georgia State Election Board Meeting
DATES OF MEETING: June 3rd, 2026
PLACE: Atlanta, Georgia

The scheduled Georgia State Election Board Meeting was taken before Jamie White, Certified Court Reporter, GA. Cert. No. 4628-9611-1917-4656, in and for the State of Georgia, scheduled to commence at 9:00 a.m., June 3rd, 2026, at the Lanier Technical College-Forsyth Conference Center, located at 3410 Ronald Reagan Blvd, Cumming, Georgia 30041.

On the Record, LLC
Certified Court Reporters
225 Main Street, Suite 1913
Hiram, Georgia 30141
404-604-0342

Page 2 1 APPEARANCES 2 John Fervier, Chairman 3 Dr. Jane Johnston, Vice Chair 4 James Mills, Executive Director 5 Janelle King, Member 6 Salleigh Grubbs, Member 7 Sarah Ghazal, Member 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Page 4 1 successful election. I want to thank all the people out 2 there working hard. I was able to visit a lot of 3 polling locations, and every time I go out there, I'm 4 really impressed with the quality of people we have out 5 there, and -- and their diligence, and how hard they 6 work. And so I want to say that. 7 The other thing I want to mention this morning is 8 that there is a flyer that's been circulated about a 9 meeting tomorrow afternoon from 2:00 to 4:00 in this 10 building, an election integrity thing. That is 11 independent of this board, and so it's not associated 12 with this board in any way. It's an independent event. 13 If y'all choose to attend, that's up to you. But, like 14 I said, it's an independent meeting not associated with 15 this board in any way. 16 So, with that, unless there's anything else from 17 other board members, we will proceed with the meeting. 18 And first on the agenda is the minutes from the March 19 18th, 2026 SEB meeting minutes, a copy of which should 20 be have been distributed to the board. 21 EXECUTIVE DIRECTOR MILLS: In your electronic 22 notebook? 23 MR. CHAIRMAN: Okay. 24 MEMBER KING: Mr. Chair? 25 MR. CHAIRMAN: Yes, Member King.
Page 3 1 P R O C E E D I N G S 2 MR. CHAIRMAN: First on the agenda is to call into 3 order and introductory remarks. We'll start with the 4 invocation. Dr. Johnston, would you please lead us into 5 invocation? 6 DR. JOHNSTON: Certainly. Let us pray. 7 (Whereupon, Dr. Johnston led the meeting into 8 prayer.) 9 MR. CHAIRMAN: Member King, would you please lead 10 us in the Pledge of Allegiance? 11 (Whereupon, Member King led the meeting in the 12 Pledge of Allegiance.) 13 MR. CHAIRMAN: Thank you, Members Johnson and King. 14 For those of you that are new to this, my name is John 15 Fervier. I'm the Chair of the Election Board. I'm 16 joined today by Members King, Dr. Johnson, Member 17 Grubbs, Member Ghazal, down at the end down there, and 18 our Executive Director, James Mills and Associate staff 19 kind of in the wings today. So, thank you for that. 20 I will call into order the June -- June 3rd, 2026, 21 meeting of the Georgia State Election Board. The -- I 22 want to start off by thanking all the -- The people next 23 door, they're cheering for me loudly all morning long. 24 And I want to thank the election workers that -- for the 25 primary we just went through. It was a highly	Page 5 1 MEMBER KING: I would like to make an amendment to 2 add the resolution that I circulated to the board last 3 night. 4 MR. CHAIRMAN: We need to -- we need to deal with 5 these minutes first and then we could do that. 6 MEMBER KING: Okay. 7 MR. CHAIRMAN: So these are -- the board needs to 8 approve or make amendments to the March 18th, 2026, 9 which is before the minutes here. Has the board had a 10 chance to review these minutes? Chair would entertain a 11 motion to approve the minutes. 12 MEMBER KING: So move. 13 MR. CHAIRMAN: We have motion to approve the 14 minutes of the March 18th, 2026 meeting. Any 15 discussion? Hearing no discussion, all those in favor 16 of approving the March 18th, 2026 meeting on State 17 Election Board signify by saying aye. Any opposition? 18 Hearing no opposition. So, move. Minutes are approved. 19 20 Make a comment to our court reporter over there. I 21 tend to talk really fast sometimes, so if I do, just 22 throw something at me, and I'll try and slow down, or -- 23 the later in the day it gets, the faster I talk. 24 So, Member King? 25 MEMBER KING: Yes, Mr. Chair, I would like to add -

Page 6 1 - I'd like to add to the agenda under new business the 2 resolution that I emailed the board yesterday in 3 reference to guidance to the counties. Thank you. 4 MR. CHAIRMAN: Any discussion or any comments by 5 board members? Is your -- make sure it's on, tap it. 6 No, it's not on. 7 MEMBER GHAZAL: I would -- I would suggest that, 8 that rather than add it to this morning's business and 9 delaying the cases for which the counties -- many of the 10 counties have hired attorneys, would you be amenable to 11 addressing this tomorrow? 12 MEMBER KING: I would rather address it during new 13 business. It's very -- it should be really quick. 14 Everyone had a chance to read and review it, so it 15 should be very fast. 16 MEMBER GHAZAL: I just want to acknowledge that 17 this, everything we do before we hit the cases, just 18 adds more cost to the counties, because they're having 19 to -- they're having to pay their attorneys even longer, 20 so. 21 MEMBER KING: Okay. Well, that should be the 22 additional five minutes. 23 MEMBER GHAZAL: It's at the will of the board. 24 MEMBER KING: Okay. Thank you. 25 MR. CHAIRMAN: Any further concerns?	Page 8 1 Congressional District 13 race that's coming up, I just 2 found out about it this morning, and I think it's 3 something that we can certainly put it on for tomorrow 4 after the cases. I'm totally fine with that, but I 5 think that's something that needs to be addressed. But 6 we were not copied on the information from the director 7 of the Elections, Blake Evans. And -- but it is 8 concerning the conduction of elections, and how they 9 plan to make some changes, and I think that's something 10 that we need to address. And then hopefully by tomorrow 11 everyone can review that information, and we can 12 hopefully seek some legal advice on it. 13 DR. JOHNSTON: Mr. Chair, I have not seen this 14 letter from Blake Evans. I would like to add it to the 15 agenda for tomorrow and have adequate time to read it 16 and consider what is in the letter. 17 MR. CHAIRMAN: Okay. Member Ghazal? 18 MEMBER GHAZAL: My only comment on that is this is 19 exactly appropriate to add, because it was impossible to 20 know in advance about this, and I have absolutely no 21 objections. It's issues that we've been discussing for 22 weeks on email that could have been added to the agenda 23 in advance to make sure that the public was aware, 24 that's what I -- that's what I object to. 25 MR. CHAIRMAN: Any further comments?
Page 7 1 DR. JOHNSTON: Mr. Chair? 2 MR. CHAIRMAN: Yes. 3 DR. JOHNSTON: I'd like to amend the agenda to have 4 the board consider engaging an attorney to write a Touhy 5 letter on behalf of the Board to request electronic 6 documents from the Department of Justice. 7 MR. CHAIRMAN: I imagine we have the same 8 objection. Is this something needs to be handled today, 9 or can we handle tomorrow? 10 DR. JOHNSTON: It's a part of business of the 11 business part of the agenda, Mr. Chair. 12 MEMBER GHAZAL: Mr. Chairman, I just want to 13 register my common complaint that it is violative of at 14 least the spirit of open -- open meetings when we add 15 business on the day of a meeting, when we could have 16 been adding this to the agenda in advance. 17 MEMBER GRUBBS: Mr. Chairman? 18 MR. CHAIRMAN: Member Grubbs. 19 MEMBER GRUBBS: And I understand what Ms. Ghazal is 20 saying, but unfortunately, there's -- there are things 21 that happen that come up at the last minute. Look, for 22 example, the one thing that we need to discuss, and I'm 23 fine with putting it on the agenda for tomorrow, but 24 apparently guidance that went out from the Secretary of 25 State's office to the counties concerning the	Page 9 1 DR. JOHNSTON: Mr. Chair, I'd like to amend the 2 agenda. 3 MR. CHAIRMAN: Okay. 4 DR. JOHNSTON: And add consideration of vice chair 5 position to the agenda. 6 MR. CHAIRMAN: For tomorrow? 7 DR. JOHNSTON: Tomorrow would be fine, Mr. Chair. 8 MR. CHAIRMAN: Let me just say, I'm glad I bought 9 three cokes. Okay. Anything else? Next item on the 10 agenda is a presentation by Dr. Rick Richards. 11 Presentation on Elly. Dr. Richards, would you please 12 come up? 13 DR. JOHNSTON: Mr. Chair, if I may, I'd like to 14 introduce Dr. Richards with some -- to provide the 15 attendance here, some background of Dr. Richards. 16 MR. CHAIRMAN: Okay. 17 DR. JOHNSTON: Dr. Richards has presented to the 18 Georgia State Election Board, Georgia House committees, 19 and Georgia Senate committees. Each time, members of 20 the committees in the press have questioned his research 21 credentials. So, I would like to say a few words. He - 22 - Dr. Richards is a US Army veteran of 15 years, 23 triple-boarded physician, and former faculty of the 24 Medical College of Georgia, where he was selected 25 Outstanding Teacher of the Year and Outstanding Young

Page 10 1 Faculty Member of the Year. 2 US Surgeon General Coop awarded him the Surgeon 3 General's Medallion for outstanding service to America. 4 He received a master's in medical management with 5 emphasis in data analytics from Carnegie Mellon 6 University. Dr. Richards has served as editor, 7 associate editor, and editorial board member for several 8 medical journals, as well as written over 80 9 peer-reviewed publications, two of which were selected 10 the best in America for the years they were published, 11 seven book chapters and 11 software programs. 12 One of his research articles was selected by a 13 journal of the American Medical Association, JAMA editor 14 George Lundberg as the most important article JAMA 15 published during his 17-year career. He served from 16 2013 to 2024 as chairman of the audit and finance 17 committee with the director, while a director on the 18 Augusta University Research Institute's board. 19 He has spent 50 years recognizing core problems, 20 formulating and turning meaningful, meaningful research 21 into solutions by bringing together impacted individuals 22 and corporations with subject matter experts, so that 23 all stakeholders can be part of the process to devise 24 and implement solutions that improve outcomes. 25 The result has been over 40 startups, primarily in	Page 12 1 Ribbon Study Committee on Election Procedures, Blake 2 Evans said the following. He was there to discuss ways 3 to add, rather than decrease George's list maintenance 4 tools. He says preference is to have as many data 5 sources as possible, to use the sources you can, to get 6 as much data as you can, and to try to get as much data 7 as we possibly can. 8 Part of my reason for being here today is to make 9 Blake Evans' dream come true. The problems in 10 interviewing county election officials all over the 11 United States is time, they don't have enough; money, 12 they don't have enough; personnel, they don't have 13 enough; technology, they don't have enough. So let me 14 start by comparing Elly's data with Eric's data, which 15 is apparently the gold standard in Georgia. Eric has 26 16 states in D.C., and they're not likely to gain many 17 more. 18 Elly has 50 state voter rolls. They have 51 19 percent 121 million registrations. Elly has 99 percent 20 of the registrations, 233 million. They produce -- they 21 intake four major databases and produce four reports. 22 Elly ingests over 20 databases and produces over 400 23 reports. There is a zero transparency to the public 24 with Eric and to the states as well in the non-member 25 data.
Page 11 1 health care access, preventive medicine, cost 2 containment, and technology, and now in election 3 integrity. Let's welcome Dr. Rick Richards. 4 MR. CHAIRMAN: Dr. Richards, thank you. You got a 5 30-minute timeline, correct? 6 DR. RICHARDS: Yes, sir. 7 MR. CHAIRMAN: All right. And our very capable 8 executive director will let you know when you get close 9 to that, just so you got some concept of . . . 10 DR. RICHARDS: With that in mind, I'd request that 11 questions wait till after I'm finished. 12 MR. CHAIRMAN: Okay. 13 DR. RICHARDS: Thank you for the time to present 14 Elly. I come today to bring you a tool. Elly, the 15 elector list, is a program that I have led development 16 of over the past six years. Let's take a look at the 17 businesses occupied this board and the county boards 18 since January '25. A single registration was 19 challenged, and we spent hundreds of hours on the part 20 of dozens of people, 17 months, and it's still not 21 resolved. I'd like to make this problem go away. 22 Let's take a look at this. You can either file a 23 complaint and go down that pathway, or you can file a 24 civil action and go down that pathway, all to do normal 25 routine list maintenance. At the October 2nd Blue	Page 13 1 Elly offers 24/7 365 access to every voter roll in 2 the United States to anybody with a tablet, a phone, or 3 a computer. At that same meeting, Blake Evans said it 4 cost \$118 -- \$118,000 to hire one data scientist, and 5 they were going to have to do state to state bilateral 6 agreements to ingest the other 24 states. I asked the 7 question of Claude, what that was going to entail, and 8 what it was going to cost. In addition to the 107,000 9 Georgia currently pays for Eric, they're going to have 10 to pay 9.6 million in the first year to do the bilateral 11 state agreements, and 7.8 million every year to maintain 12 it. 13 They get NCOA, the master desk list, the road roll, 14 and the DMV information. Mr. Evans said both NCA and 15 limited access death master file over time, we've become 16 less complete for a number of reasons. He didn't 17 mention the reasons. The reasons were that only 40 18 percent of the move -- 40 percent of the moves go 19 unreported. So you're missing 34 million moves. 20 The NCOA has 60 -- 160 million, so Georgia misses 21 all of the moves to Georgia. They have no visibility of 22 the people moving to Georgia and still registered in 23 other states. And I also quoted postal pro that says 24 that reminds us that NCOA only is temporary -- is only 25 permanent. It does not include seasonal stays to the

Page 14 1 housing of short term relocations considered temporary. 2 he limited access master -- death master list has 3 become less complete for a variety of reasons. In 2011 4 they stopped reporting last known address. They stopped 5 reporting full date of birth. They stopped reporting in 6 state deaths. In 2013 they stopped releasing records 7 for the most recent three years. In 2025 the Berlin 8 Group did an analysis, and the master death master list 9 was capturing 16 percent of the deaths. 10 Elly, on the other hand, has all 48 months list. 11 The time I did this slide, we had 47 states. We 12 currently have 46 active. We're obtaining the other 13 four on the next two weeks. We also get the proprietary 14 change of address. We bought every obituary since 1998. 15 We use Google Maps, Google Street, Google Business, 16 Zillow for residence and land information. We use the 17 post office's CAS database for address eligibility and 18 mailing address deliverability. And we download the 19 property tax codes, the land use codes, the property 20 assessed data, the homestead tax information, the sales 21 information, the property legal descriptions, including 22 the number of rooms, number of bedrooms, owner and owner 23 occupancy status. 24 As of today, we have eight million Georgia 25 registrations. We have 233 million US registrations.	Page 16 1 says it's a warning. You have to give your full 2 information. In fact, it is a felony not to do so. So, 3 if you don't list your full name, it is false. It is 4 fictitious. And this is some from Gwinnett County that 5 have a first initial and no middle name. Let's click on 6 it and go into the voter rolls and look at the 7 registration address. 8 So, the post office has verified that these are not 9 -- are not accurate or accurate. We left only ones that 10 are not accurate, so we'll click on those and drill 11 down. This is the program. This function is exactly 12 like the program. So, you want to know how many are at 13 a UPS store, you click this -- this form, they are 12 -- 14 1,254. You want to know how many have an invalid 15 primary numbers or house numbers? 60,000 have a 16 problem. A missing apartment number, 196,000. 17 The primary street number range is invalid, meaning 18 they exist from 100 to 200 and this one's 300. We have 19 seven -- 13,000 don't even have a street name in the 20 USPS directory. And 29,000 are drop addresses, bundled 21 addresses, like at businesses. So we'll drill down on 22 this, and you can see that all of the magnifying glasses 23 here, here, and here, if you click on it, brings up the 24 explanation of what it is, and why it's important, and 25 in many cases, what needs to be done about it.
Page 15 1 We have Georgia 4.7 million property tax records. In 2 the United States, we have 160 million property tax 3 records. All the data is public data. 4 This is in Elly. You'll notice the portal 5 information navigation on the left filters where you 6 drill down Georgia. We have state listing here. Here's 7 the databases for each state. We -- so you look into 8 history, we have all the counties you can drill down. 9 You can drill down to precinct level. You can export 10 all of the reports. We start out with the grid of how 11 many have problems there are of the eight million, 2.8 12 million have something that we need to look at. 13 35 percent of the Georgia registrations need to be 14 reviewed, and this is a breakdown of the percentages 15 about problem type, which we call sections, and then the 16 cases, the individual registrations need to be reviewed, 17 are called cases. We're going to drill down on those, 18 and these are the incomplete or data error cases. 189 19 still with a birth year less than 1900, name blank, 20 initial 5000 have only the first initial, 890 middle 21 names blank, middle initials. So we got about 1.5 22 million that put didn't put the legal name. We also 23 have 441,000 that appear to have voted before they 24 registered. 25 You'll notice on the form that when you apply, it	Page 17 1 So we'll look at the commercial mail receiving 2 agencies. We'll click on them, and here's the list. 3 We'll click on the first one, and it'll take us to the 4 drill down information of the story about the 5 registrant. It lists their voter roll information, and 6 if they happen to be arrested in two states, it lists 7 both states' information. It lists their address 8 information, having gone through the US Post Office to 9 get the best mailing address, and the proprietary change 10 address to get the best mailing address from proprietary 11 standpoint. It lists all of the problems, and then you 12 can click on it and drill down and go see the store. 13 Then Google take pictures, copy them as well. 14 Let's go to move same functionality workflow for all 15 types. Georgia has 657,385 registrants who do not live 16 at the registration address on their form. I'll let 17 that sink in. Eight percent don't live -- they have 18 told the post office they don't live -- They signed an 19 affidavit -- they don't live at that address. They've 20 moved -- 86,000 have moved and registered at the new 21 address. 4,300 have voted in Georgia after moving, 22 37,000 have voted in the second address after moving, 23 and we also have those who have voted in two elections 24 at the same time. I didn't list that, because it will 25 cause all sorts of controversy. We can discuss that

Page 18 1 privately. But we have that number for all 50 states. 2 Here we have the drill down. We're going to drill 3 down on somebody who has moved and registered, and 4 you'll see that we have their Georgia information. We 5 have their Ohio information side by side. You'll notice 6 they voted in the same election. Have the date of the 7 voter roll. They've been on the voter roll in Georgia 8 for 24 years, in Ohio for 33 years. We have all of the 9 information down here. If it is light blue text, it is 10 from the Secretary of State's voter roll, as is all of 11 our voter data. And if it is purple, it's from the post 12 office. 13 So we have the NCOA information with -- the NCOA 14 information as well. Here we go, and we have the move 15 detail. They moved on February 1st, so it doesn't -- 16 the 30-day window doesn't apply. We also have the 17 registration history, so we can see if there's been any 18 change from month to month. We have the voting history. 19 This person's voted 15 times. We have that full 20 history. We have the address history, 123 Main Street, 21 nobody else registered at the location. 22 At the place history, we found 78 other people 23 registered at that street address. Unusually, they have 24 78 people registered. So, let's look at the property 25 tax. The property tax for the move from location is on	Page 20 1 those and find out more detail on each one of them. 2 Here are the 350 plus different land use codes that are 3 involved. We can drill down on each one of us tracing 4 and investigated it by drill down using other tools. 5 If we just do a number, looking at those that are 6 registered at the same address in Georgia, we have 1380 7 at one, we have 1295 and another. Dekalb we got 1122. 8 Each one of those needs to be investigated the same way, 9 it takes click, click, click, and you're done. So we 10 can look at obituaries, we -- it takes the names and 11 compares it to the file that we've purchased. It also 12 can do direct lookups, and when you see an arrow like 13 the find a grave with the up caret, that means it will 14 grab the data out of Elly, take it over to find a grave, 15 automatically put it in, and look up the registration, 16 and allow you to copy the registration to copy the URL 17 here. And the county gets a copy of that URL, can click 18 on it, it's a hot link, goes straight to the obituary at 19 the funeral home, take a picture of it, drop it in, and 20 click deceased. 21 When you click deceased, it goes to the county 22 election office email. So it's automatic -- 23 automatically put in their inbox, and they have all the 24 documentation they need to do any further research to 25 make a decision. Elly does no actions, it makes no
Page 19 1 the top, no bedrooms, that's interesting. Commercial 2 location. So let's move down to the registration 3 information in Ohio. That is a single family residence, 4 but they have a homestead tax exemption in Ohio, which 5 makes them automatically removable in Georgia. So they 6 certainly shouldn't have been voting 15 times. 7 These are the case problems they're listed with the 8 problem, and what -- what is the -- here in this case, 9 why is it eligible -- ineligible voter roll? Why is it 10 not appropriate for absentee ballot? It's also CMRA, 11 and it's incomplete data. So, we've got four problems 12 that need to be investigated. We'll drill down on that 13 one, and it turns out it's a virtual mailbox at 144 -- 14 145 -- Excuse me -- Woodmont Lane. It's a house that's 15 been converted into virtual mailbox right down the 16 street at 1441, or 66 more registrations, all of them 17 still on the voter roll. 18 So, let's move to the next category, property 19 class, click another button. We have agricultural, 20 commercial, exempt, industrial, office, recreational, 21 transportation, and we've got 57,000 people registered 22 at exempt, 73,000 registered at commercial. There may 23 be legitimate reasons, so we'll drill down, and we can 24 find 63 registered at a cemetery, 331 at jail, 32 at a 25 mortuary, educational on and on. We can drill down on	Page 21 1 decisions. That's all left to the county. So, here's 2 the drill down at the county level. You'll see the 3 county inbox over here. All the county's got to come in 4 and morning and do is take that county. Of course, they 5 can do the entire work process itself, or they can just 6 review that done by the volunteers and the citizen 7 volunteers who have public. The counties can name 8 deputy registrars, I encourage them to do so, and they 9 can work for them. 10 One thing that this will do will do away with 11 challenges, because the county can say, instead of 12 filing a challenge, we'll just give you credentials to 13 sign into Elly, and you can file them direct, and then 14 they're not challenges. Then we don't have to go 15 through all the challenge process, and the hundreds of 16 hours with dozens of people, we'll just look at them, do 17 further research, and make a decision. So the 18 volunteers are doing their scut work for them. 19 So we have submission type, submission finding, 20 submission date, and who did it. If the county finds 21 that one person's playing games with them, they just cut 22 off their credentials. So we can do this, or we can go 23 click, click, click. That's it. 30 seconds to two 24 minutes max, and I'm going to do it right now. 25 So, here we have cases, number one, I make sure

Page 22 1 they're in Georgia. I make sure it's the most recent 2 voter roll. I list all counties or fewer. I click here 3 to expand the list. I want to go to this and click 4 this, click. I look down the list, I pick any one. I 5 click. There it is. We're going to go down and look at 6 Woodmont Lane, the one example I just showed you. It is 7 a commercial that can select any of the property 8 classes, I can select any land use code I want. 9 And during the lunch break, I'll be happy to do 10 this for everybody in here. I can click anyone they 11 want. It brings me to this, the story. So I've got all 12 that information I showed you earlier about the story. 13 There's the picture. We can even create the precinct 14 postcards, send you the data to create the precinct 15 postcards. So, in addition to send out what you 16 normally send out, you can send out, here's, by the way, 17 we were looking over your registration. You might not 18 want to know that these are the following problems, 19 boom, boom, boom. You can click one of the links before 20 -- but down below, and go fix it, so you'll be able to 21 vote. We verify your registration. You don't have any 22 problems when you go to vote. You are in franchise. 23 Nobody will be disenfranchised, and it will take the 24 burden of work off the county election officials. 25 So, we've got all the moves. Let's click again.	Page 24 1 Sterling said we're all about getting the tools there 2 for the individuals in the county to do their jobs, 3 trying to make it easy as we possibly can. Although 4 he's done nothing to actually do that. 5 Our objective, Blake Evans said, our objective is 6 to use every tool available to keep our list the 7 cleanest and most accurate in the country. So I will 8 present to you that neither one of these people would 9 have a problem with them using another piece of 10 software, a tool. I like to remind them that 11 administrative correction is the majority of the 12 problems. If the problem was there when the 13 registration was accepted, it is not eligible still. 14 So, void -- I learned this term -- void ab initio 15 means it wasn't correct then from the void from the 16 beginning, invalid from the outset, it means it's 17 invalid today. And if your registration is not 18 acceptable, whether it's active or not, you should not 19 be allowed to vote. No difference than if the person 20 was dead. There are those that are changing 21 circumstances or administrative corrections, like dying, 22 and those are ineligible -- ineligible removals are 23 treated the same way. There is no quiet period. There 24 is no 90-day waiting period for these type removals, and 25 Elly has noted which it is, so you can take action
Page 23 1 We're going to click on moved and registered new 2 address. Look at those 186,000. There's the first one. 3 There's the results. There's the full story. All the 4 information you need to read this and decide what the 5 next step is, is there in seconds. Not hours, not three 6 or four departments, not five or six people doing the 7 work. It's all there. It's your data. There's -- Elly 8 has no data. It's the same resources that county people 9 go to now, because they are the ones who told me to 10 build it this way. 11 So, there you are. We click, and it goes to 12 submissions. There's the correction for their moved out 13 of out of state. It lists their current registration. 14 It lists where they moved to, so the person getting it 15 knows you know, and unlike Eric, you've got all the 16 states, you've got all the registration information in 17 the other state, and you can act on it. Click, click, 18 click, click. You want to do this or this. 19 Challenges, make your enemies your frenemies. Call 20 them in when he sends you a list of challenges. Call 21 them in. Thank you very much. We appreciate the work. 22 Would you like credentials to do this directly to look 23 at exactly the same data we already have, so there's no 24 question about data lag. There's no question about data 25 availability variability. It goes right to them. So	Page 25 1 immediately. 2 I would recommend, of course, that you'd send them 3 a postcard or an email to let them know that they need 4 to go fix it. I have included in this, and I'll give 5 you a copy of this presentation, the exact information 6 out of the Department of Justice's September 2024 7 guidance that says each of the things I have just 8 related to you, ineligible at registration, correction 9 of records, felony and mental incapacity, inaction also 10 is a violation. The quiet period, I've listed what the 11 DOJ says here for the scope and limits, I've listed the 12 systemic removal versus the administrative correction 13 and eligible removal. 14 And now I'm going to quickly go through some 15 additional slides that you can look at your leisure, 16 because I've developed procedures, flow charts, and 17 implementation process for Elly within the 159 counties 18 in Georgia. From the flow chart for category A, 19 registration error; category B, disqualifying 20 registration action, the workflow, the implementation 21 procedures, data sources, workflow steps, key metrics, 22 and KPIs. I know this is going to be allowed by the 23 Secretary of State because the training information for 24 the Secretary of State's new tool, which incorporates 25 three of the things that we do in Elly, details on that

Page 26

1 at another time.

2 They say in this presentation to go to the same

3 sources that Elly uses. So we are rewarding them by

4 giving them time. Elly is free. We are giving them

5 personnel by all civilian volunteers who we train. We

6 give them the technology. So we've overcome all four of

7 the impediments. At the core of Elly, Elly's gift today

8 is a significant upgrade to Georgia's voter roll

9 maintenance. We're enhancing Georgia's 20 -- Eric's 26

10 state coverage with a comprehensive 50 state platform

11 that draws on 20 plus data sources and generates over

12 400 reports, lowers cost and ensures complete public

13 transparency. A thoroughly a framework for the forms of

14 centerpiece, establishing the administrative corrections

15 for initial registration errors fall outside the NVRA

16 90-day quiet period, a position reinforced by DOJ

17 guidance, several fellow appellate rulings, and a 2024

18 Supreme Court decision is structured for deployment

19 across all 159 counties.

20 The implementation framework incorporates defined

21 workflows, measurable KPIs, and Garvis integration

22 alongside citizen volunteer research model that

23 effectively scales at county capacity at no added

24 taxpayer expense. No politics, just data. A strictly

25 nonpartisan, data-driven platform, at least safeguarding

Page 27

1 against disenfranchisement, while maintaining the

2 integrity of voter registration rolls, prompt promoting

3 enfranchisement itself.

4 I'd be happy to take your questions. Thank you for

5 the opportunity to work on behalf of you and the State

6 of Georgia and the United States of America.

7 MR. CHAIRMAN: Thank you, Doctor. Member Ghazal?

8 MEMBER GHAZAL: Thank you, Dr. Richards. You say

9 that Elly is free. Are you doing this as a just --

10 DR. RICHARDS: I am personally paying for it.

11 MEMBER GHAZAL: So how do you get around 21-2-18?

12 DR. RICHARDS: Fair market value. I'm offering it

13 to the public for free as well.

14 MEMBER GHAZAL: Do you accept donor dollars for

15 this? Do you have to pay for the data?

16 DR. RICHARDS: I buy the data.

17 MEMBER GHAZAL: Okay. So how do you get around the

18 fact that this would be considered a felony for counties

19 to accept a donation?

20 DR. RICHARDS: The counties are welcome to pay for

21 it if they like, whatever they think it's worth.

22 MEMBER GHAZAL: So I just want to make sure that

23 counties understand that the legislature has passed a

24 law that prohibits them from accepting donations.

25 DR. RICHARDS: That's fine. However -- however

Page 28

1 they work it out legally, I'm happy. Do you want to pay

2 me, you pay me.

3 MR. CHAIRMAN: Just one point for the audience,

4 please. We don't do clapping and yelling and all that

5 stuff, you know the rules here. We -- if you have to,

6 you know, agree with something, do these obnoxious jazz

7 hands, but let's keep the comments and the yelling and

8 the clapping, let's not have any of that. Thank you.

9 Any other questions from the board? Dr. Johnson?

10 DR. JOHNSTON: So, Dr. Richards, does Eric do this

11 type of research?

12 DR. RICHARDS: No, ma'am. Actually, nobody really

13 knows what Eric does. It's not public knowledge. Eric

14 doesn't even share member data with its members. So the

15 public doesn't know. They have three employees. They

16 have no office. I don't know how they do the job, and

17 there's zero transparency to the public, so that's one

18 thing.

19 The other thing I know what they're supposed to do,

20 because my son John created Cephas [ph], which does what

21 Eric's supposed to do. He presented in March the same

22 meeting. So I know what they're supposed to do, but I

23 don't know what they does -- do, and neither does

24 anybody else. Do you?

25 DR. JOHNSTON: I do not know.

Page 29

1 DR. RICHARDS: Isn't that strange, State Board of

2 Elections doesn't even know what Eric does.

3 DR. JOHNSTON: So, this -- this -- this research

4 tool would be valuable for registrars?

5 DR. RICHARDS: It could be -- yes, ma'am, it could

6 be used for voter registration in the personal first

7 place. And it would go through CASET to see if the

8 addresses are eligible and deliverable in the first

9 place before they achieve active status. That's the

10 right first step. It can also correct the data entry

11 problems, where they enter the wrong information, then

12 can move on to the next field without correcting the

13 wrong information. It could fix that part. It could be

14 used as an election to look up and see if they're in

15 another state registered. That'd be pretty helpful to

16 know before they voted, and if there's a protest,

17 there's always provisional ballots.

18 But you've got the registration date in the other

19 state or the other address in Georgia, that information

20 is in Elly now, and it can be accessed immediately.

21 DR. JOHNSTON: Is all of the data in Elly publicly

22 available data?

23 DR. RICHARDS: Yes, ma'am.

24 DR. JOHNSTON: So, is Member Ghazal suggesting that

25 if a registrar looks at publicly available data, it's a

Page 30

1 felony?

2 MEMBER GHAZAL: Please don't put words in my mouth.

3 EXECUTIVE DIRECTOR MILLS: I think it was the

4 acceptance of money, a gift that was -- Is that right,

5 you were requesting?

6 MEMBER GHAZAL: What I'm saying is, if -- if Elly

7 has a value, in other words, if you are paying for the

8 data, if it's publicly available, or -- or you're paying

9 for it, one or the other, it's not both --

10 DR. RICHARDS: No, it can be both. I can only buy

11 publicly available data.

12 MEMBER GHAZAL: But it is purchased data. So

13 accepting something of value is prohibited under 21-2-

14 18. It could be -- and you're right -- it can be

15 publicly available, but it's purchase data. It has a

16 value. It has a fair market value. Are you suggesting

17 -- do you accept -- do you accept donor dollars to help

18 offset your costs, or are you paying for this out of

19 your pocket?

20 DR. RICHARDS: The Eagle -- Eagle AI is my company.

21 I have no employees. I fund it myself. Valid vote and

22 other 501(c) (3) around the country accept donations. I

23 am the donor that funds Elly.

24 MEMBER GHAZAL: So you are donating, you are

25 offering to give something of value to the counties?

Page 31

1 DR. RICHARDS: Yes, ma'am.

2 MEMBER GHAZAL: Okay. Thank you.

3 DR. RICHARDS: And it's only a value by fair market

4 value. Fair market value established by the going rate

5 to charge for that service. The going rate to charge

6 for that service is zero. Fair market value is

7 established by the marketplace.

8 MEMBER GHAZAL: But the data you purchased --

9 DR. RICHARDS: I don't give them all the data. I

10 just give them the piece they look at.

11 MEMBER GHAZAL: But they have -- they have access -

12 -

13 DR. RICHARDS: All right. Google buys its data.

14 When the county search these things out on Google, are

15 they paying Google anything?

16 MEMBER GHAZAL: That's not my question.

17 DR. RICHARDS: Yes -- yes, ma'am. Respectfully, it

18 is exactly your question. Elly's just a tool on the

19 internet that they can access, just like Google.

20 DR. JOHNSTON: Is it a felony if a registrar looks

21 at the internet? I don't understand Member Ghazal's

22 question.

23 DR. RICHARDS: Going to Elly on the web, it's just

24 like going to any other website for which you have to

25 put in credentials and you receive information or

Page 32

1 service thereby. Elly's the same thing.

2 MR. CHAIRMAN: Now, a lot of these database

3 management things, you have to pay -- sign up to pay for

4 them --

5 DR. RICHARDS: If you want to pay for this, then

6 you can.

7 MR. CHAIRMAN: Right. You do and then, right,

8 Google is free if you Google something, but it doesn't

9 give you all the information that --

10 DR. RICHARDS: For some services with Google, you

11 have to pay for it.

12 MR. CHAIRMAN: Right. Right.

13 EXECUTIVE DIRECTOR MILLS: So if some -- so if

14 somebody paid you \$1 it's not a felony then; is that

15 right?

16 MR. CHAIRMAN: Well, yeah, I don't know if it is a

17 felony. I mean, the question is really -- because you

18 have -- you have both out there right now. You can

19 research all kinds of database free, and you can

20 research some that are -- you have to pay for. They're

21 both available out on the internet now.

22 DR. RICHARDS: Yeah.

23 MR. CHAIRMAN: So the question is, whether this is

24 something that's available to everybody out there.

25 DR. RICHARDS: Everyone of y'all, and everyone here

Page 33

1 can go to this website right now and look up your own

2 voter roll and find out your entire story, not just your

3 voter information from the state, but also the history.

4 Also who else is registered at your location, and have

5 they voted using that registration. You can also click

6 contact us and apply for credentials, just like the

7 county electors would have -- county election office

8 would have. Not everybody gets credentials. I vet

9 them, and if they are citizens registered to vote, an

10 active status, and pass vetting criteria, which I

11 created, I'll give them credentials.

12 MR. CHAIRMAN: You won't be charging anybody for

13 any of this --

14 DR. RICHARDS: That's correct.

15 MR. CHAIRMAN: -- nobody whether it's --

16 DR. RICHARDS: Nobody. The other states get it

17 free. All -- we're offering it to all 3,143 counties in

18 the United States.

19 MR. CHAIRMAN: Nobody's paying for it.

20 DR. RICHARDS: Nobody's paying for it.

21 MR. CHAIRMAN: Yeah, I think that's -- that's the

22 issue with me, is that there are a lot of sites out

23 there that are totally free that you can go to, and

24 there's some that you pay for so --

25 DR. JOHNSTON: So I hate it when we're throwing

Page 34

1 around the word, felony.

2 MR. CHAIRMAN: Well --

3 DR. RICHARDS: Well, it's a felony to sign up

4 without the phone legal name.

5 MR. CHAIRMAN: No, it's a good question, legitimate

6 question, because if he's charging some people and not

7 others. Then you're giving away a good -- Okay.

8 There's a reasonable question, are you charging anybody?

9 DR. JOHNSTON: It poisons the conversation, is what

10 it does.

11 DR. RICHARDS: And the question that hasn't been

12 asked, we have a full affidavit of the data we get from

13 the Secretary of State and everywhere else, so that

14 everybody that touches it, we know if any -- There

15 aren't any changes made, but we have that documented

16 with affidavits as well. We have the full file, all the

17 things you see down there, we track all that data,

18 because somebody somewhere someday is going to ask.

19 EXECUTIVE DIRECTOR MILLS: Dr. Richards, I want to

20 move us back to the substance if I can. I thought -- I

21 thought I saw that you said 189 people were on the

22 Georgia roll that were before 1900 born.

23 DR. RICHARDS: That's correct. And I first

24 reported those five years ago.

25 EXECUTIVE DIRECTOR MILLS: Okay. And again, moving

Page 35

1 back to the substance, so what we're talking about, not

2 about purchase power or privilege power. Let's talk

3 about what we just saw. If that's not alarming to

4 people in this room, then we all should wake up. It's

5 alarming.

6 MR. CHAIRMAN: Come on, let's . . .

7 EXECUTIVE DIRECTOR MILLS: Well, I -- also, how

8 many dead people did you say?

9 DR. RICHARDS: I'm not going to give you a number,

10 because people will quote me on that.

11 EXECUTIVE DIRECTOR MILLS: Sure.

12 DR. RICHARDS: But each dead person -- each

13 obituary has to be verified by human eyes. You cannot

14 make a mistake and call Aunt Tilly dead and have her

15 show up at the county meeting. It just is a bad look.

16 So we must verify that each one of those that look at

17 them and the people who volunteer will be taking a

18 picture of the obituary, and that goes into the box of

19 the county. The county person responsible for that will

20 verify that by clicking the link and verifying all the

21 data before they make the decision. The county person

22 makes the decision. The county person takes any action

23 if any.

24 EXECUTIVE DIRECTOR MILLS: So your program cross

25 references public data through homestead exemption,

Page 36

1 through obituaries, through voter rolls, through, I

2 mean, I don't -- I'm just trying to recall what you --

3 you mentioned. It's a lot more than what I'm mentioning

4 here, but -- but I want to make sure that I'm grasping

5 what you just said. This is public information that

6 your program combines, and then you put in the public

7 voter roll to see if that corresponds with this public

8 information. And what it's showing is that there's lots

9 of problems.

10 DR. RICHARDS: There roughly -- well, let me give

11 you the list. Let's see, here's the report right here.

12 You can click a button and get this full report. I'll

13 give each one of y'all, that this report, and you got

14 the exact numbers. If -- when the counts are zero, it

15 means we haven't done the count yet. We don't get the

16 citizen data, so we can't do that. We've forward the

17 felon data, which took us 18 months to get first set of

18 that. So we don't have some data yet. But then we go

19 100 -- 100 -- greater than 110, 205 people, just most of

20 those are likely oldest persons, 200 or 113. So we have

21 all that information. But -- but, yes, answer your

22 questions. Yes, that's what this is. But a key point

23 is we get the NCOA data from BCC software, we use the

24 same source that Eric does. So why are we finding these

25 things, and Eric not? That'd be a pretty good question.

Page 37

1 MR. MILLS: Has this been offered to the Secretary

2 of State?

3

4 DR. RICHARDS: Well, funny you should ask that.

5 Let me close this. Let me go back to this. Let's see

6 what we can do here. I just happened to have I spoke

7 with Brad Raffensperger three times during his campaign,

8 showed him the data, gave him the data, and offered to

9 meet with him. Finally, on May 8th, I met with

10 Charlene, talked to Charlene again, talked Charlene

11 again, emailed Charlene, met with Blake Evans, Charlene,

12 and Bill Bickley [ph] on 06/08/23, showed them a full

13 demo of this and offered to give it to him free and help

14 them in any way I can. Less than three weeks later,

15 they signed a sole source non-competitive bid contract

16 with a software company to try to create this. Took two

17 years and released it as Gaura [ph], and that came out

18 of my meeting, even though on the 12th, and then again

19 in July, then again in August, I talked Charlene again,

20 they changed the emails about how can I help you, she

21 never even gave me the courtesy of telling me they were

22 trying to build it themselves.

23 EXECUTIVE DIRECTOR MILLS: Did I rehearse this

24 question?

25 DR. RICHARDS: No, sir, you didn't, but I thought

Page 38

1 it might come up.

2 EXECUTIVE DIRECTOR MILLS: My goodness, it sounds

3 like I did. That's why I wanted to make it clear I

4 didn't --

5 DR. RICHARDS: I never discussed it with anybody --

6 EXECUTIVE DIRECTOR MILLS: -- ask a question I

7 didn't know the answer to. And, wow, what a response.

8 DR. JOHNSTON: As I recall, the day after you made

9 a presentation you were slammed with negative articles

10 in the press and multiple open records requests --

11 DR. RICHARDS: Yes, that is correct.

12 DR. JOHNSTON: -- trying to attack you.

13 DR. RICHARDS: Yes, Mr. Evans and Ms. McGowan had

14 went on the attack, saying my data was unreliable when

15 it was really their data, and I agree it's unreliable.

16 MEMBER KING: Thank you for your presentation. I

17 think it was wonderful. I do find it odd as I sit here

18 and I just kind of look at things, I tend to try to lean

19 into common sense. And what I am noticing is that after

20 you gave a presentation that highlighted that the

21 current system is not good, it highlighted that you have

22 better data, more data, it highlighted that you have

23 more states that you're more effective. That you will

24 reduce the workload on the counties. That this is

25 something that will provide a level of security,

Page 39

1 transparency, and effectiveness.

2 After presenting all of that, the first question is

3 to discredit. And my question is, Why do you think

4 there's such a protection of Eric? Why do you think

5 they are protecting a program that clearly is not

6 effective, that does not represent all 50 states, not

7 even half, and -- well, I guess a little over half,

8 maybe 26 possibly. I know there's states they're

9 leaving, but why do you think they are protecting this

10 particular program so much, if there's something out

11 here that's more effective? So much so that they're

12 willing to duplicate your efforts?

13 DR. RICHARDS: Anything I would say would be

14 speculation.

15 MEMBER KING: I would like you to speculate based

16 on your meetings and your . . .

17 DR. RICHARDS: Money and power.

18 MEMBER KING: What's the -- what's the financial

19 incentive?

20 DR. RICHARDS: We haven't done the investigations

21 to find out. But somebody's getting money, and

22 somebody's retaining or gaining power. But this is not

23 unique to this situation.

24 MEMBER KING: Or other situations.

25 DR. RICHARDS: Yeah, it always comes back to money

Page 40

1 or power. Or on rare occasion, because people are

2 wanting to do the right thing. And this is Elly. I'll

3 sign in. I'll show you how hard it is. This is it.

4 MR. CHAIRMAN: Let me ask a question.

5 DR. RICHARDS: Yes, sir.

6 MR. CHAIRMAN: In my former career, I've done a lot

7 of internet research on things. You're not saying that

8 all the information you pull is 100 percent accurate,

9 correct? I mean, stuff has to be verifiable, right?

10 DR. RICHARDS: Absolutely.

11 MR. CHAIRMAN: Because, I mean, we know that public

12 data sites are wrong a lot. I mean, when I was put on

13 this board, almost everything they had found out, and it

14 was incorrect. They had me a picture of me, and it was

15 really a bald headed woman, you know. So, I mean, we

16 see -- So, what you're doing is you're providing data

17 that's on the internet and saying you all need to check

18 this.

19 DR. RICHARDS: Yeah. But not exactly, that's a

20 very, very small piece of it. When we say the -- when

21 Elly notes that the address is undeliverable, that's

22 because the post office has coded it undeliverable.

23 It's the post office's data. So if there is an error in

24 Eric, it's because the post office made an error. It's

25 because the county property tax assessor made an error.

Page 41

1 That's where the arrows lie in the data. And --

2 MR. CHAIRMAN: Yeah, the post office probably isn't

3 a good example to use, because --

4 DR. RICHARDS: But it's what it's what the county

5 election officials are using now. So in either case the

6 error needs to be found, context to the right individual

7 to fix, or the problem will continue getting worse. And

8 you can't blame it on it's the post office's error

9 without telling the error -- telling the post office

10 they got an error. And who better to tell the post

11 office on that little postcard I showed you, it had the

12 county election office website address, and the post

13 office's website address, and the property tax

14 assessor's website address. If it says you don't -- you

15 have a homestead tax exemption, and you don't, it's up

16 to you to call them and tell them that, because that's

17 another kind of felony. And many, many tax assessors

18 are wanting to use Elly, and I tell them it's available,

19 apply for credentials.

20 MR. CHAIRMAN: Yeah, my point was it -- the data is

21 what it is. You have to check it to confirm it, because

22 it's not always correct.

23 DR. RICHARDS: You're exactly right, and that's

24 exactly what the election office officials maintenance

25 workers are doing now. They're just having to go to

Page 42

1 each of these websites, or heaven forbid, they refer it
 2 to the GIS office. The GIS office takes a month to look
 3 it up and sends them back the wrong information on the
 4 wrong address, they got to go through it all again. Why
 5 don't they just drill right into the tax assessor's
 6 database?

7 MR. CHAIRMAN: You're compiling a lot of different
 8 --

9 DR. RICHARDS: Yes, sir.

10 MR. CHAIRMAN: -- sites into one --

11 DR. RICHARDS: Local -- local government data,
 12 local county data, state data, federal data are the
 13 primary sources of data in Elly. You go out to research
 14 to get any other data, like Zillow or Google, just like
 15 they would do anyway, because they've told me that's
 16 what they do. I just created a live link that took the
 17 data to the website, so they don't have to type it in.

18 MR. CHAIRMAN: Yeah, I love Zillow. It's
 19 infamously wrong --

20 DR. RICHARDS: Yes. Yes, but you have to -- you
 21 drive by, but that's something you'd have to do anyway.
 22 But you didn't have to do the first two hours of work.

23 MEMBER KING: So basically, your program also puts
 24 power back into the hands of the voter. Because now the
 25 voter can go in and easily track their own registration

Page 43

1 to ensure that it is accurate and ensure that if they
 2 are moving from state to state, and let's say they did
 3 file to remove their -- or to cancel their registration,
 4 let's say it didn't happen. They can double check --

5 DR. RICHARDS: Yes.

6 MEMBER KING: -- so you're giving power back to the
 7 voter as well with this.

8 DR. RICHARDS: Exactly right. I was on the phone
 9 with a lady in Colorado who wanted me to do a podcast,
 10 and I don't like to do that. And while we're on the
 11 phone talking about it, she looked her daughter up, who
 12 had not been in the state 12 years, Colorado, and
 13 somebody voted last year using her ballot. No way to
 14 know that, unless you go on Elly and look yourself up.
 15 In fact, you go on Elly and look up anybody, if you
 16 their birthday.

17 MEMBER KING: This is important, because my
 18 daughter-in-law got a letter. Let me pull this. So my
 19 daughter-in-law got a letter from the Environmental
 20 Voter Project. We're going to look and see who they
 21 are, what they are, where they tracked and said that she
 22 did not vote in the 2025 state primary runoff election.
 23 That she did not vote in the 2025 special state primary
 24 election, and whatnot. When she did.

25 Now I don't know where this came from, but to your

Page 44

1 point, she was telling me, she said, No, I'm certain I
 2 did vote. I don't know where they got this from, but I
 3 voted. And there was no way to really effectively
 4 verify it from her perspective. She didn't know where
 5 to go, what to do, how to look this up. So, having
 6 something like this, where you can just say, Hey, let's
 7 just go to Elly, which I'm probably going to do later on
 8 today for her to verify it.

9 DR. RICHARDS: Why don't we do it right now?

10 MEMBER KING: Oh, let's do it.

11 DR. RICHARDS: Here we got Alaska. We'll go from
 12 Alaska to Georgia. These are states we have in Elly.
 13 We'll go to Alaska to Georgia.

14 MEMBER KING: Actually, I don't want to put her
 15 personal --

16 DR. RICHARDS: Okay. Well --

17 MEMBER KING: -- information up on the screen. I
 18 know I thought about that.

19 DR. RICHARDS: But you notice here --

20 MEMBER KING: She's new to the family. I don't
 21 want her to hate me.

22 THE WITNESS1. You look at the prior voter rolls
 23 because we the voter rolls, and we can tell that there's
 24 been changes like that.

25 MEMBER KING: Okay.

Page 45

1 DR. RICHARDS: Just by going back in history
 2 looking change analysis. So we can look at the
 3 forensics on this. So, for example in this case, we're
 4 going to go to non-residential and these are the non-
 5 residential and we'll pick out a property class. We can
 6 also filter by any of these things. So we're going to
 7 get exempt, and we're going to look down over here. And
 8 we're going to go down to -- we pull up all of these,
 9 but you post offices are not allowed, so 92 or two.

10 Okay. There's all the people in Georgia registered to
 11 post office. I can click the button, and I can send all
 12 of them postcard and tell them their voter registration,
 13 not good. Please re-register, we're going to make these
 14 inactive, or the appropriate thing by law is to cancel
 15 them. They should be canceled today. They're a post
 16 office. The post office says they're at a post office,
 17 so we could clean the Georgia voter rolls in roughly 60
 18 days. We can clean the US voter rolls in roughly three
 19 to four months.

20 MEMBER KING: Thank you.

21 DR. RICHARDS: Other questions?

22 MEMBER GRUBBS: Dr. Richards, I wanted to ask you,
 23 do you know how much the state pays to participate in
 24 Eric?

25 DR. RICHARDS: \$107,800. And 118,000 for each

Page 46

1 additional data science is necessary to cover the state
 2 to state contracts, of which they'll have to do 24 and
 3 they'll have to manage that data. They have to buy the
 4 equipment. They'll have to do the analysis every two
 5 months, which is what they do it now. It costs roughly
 6 \$8 million a year, and John's ready to do it for far
 7 less than that.

8 MEMBER GRUBBS: So one has to wonder, why do you
 9 think you get so much pushback?

10 DR. RICHARDS: I think you answered your own
 11 question, money, power, and Elly makes the whole voter
 12 roll election process democratic. It's open to the
 13 public. Right now the Eric process, the state process,
 14 is secret. It's mysterious. We'll tell you what you
 15 want to know. No, no, no. We'll tell you what you need
 16 to know. No, no, no. We'll tell you what we want you
 17 to know.

18 MEMBER GRUBBS: so when the Blue Ribbon Committee
 19 on Elections, that the legislature did, and you know, I
 20 watched -- If I wasn't there, I watched online, and I
 21 know that there was one member of that board that was
 22 really desirous of ditching Eric. Have you had any
 23 further conversations with the legislators that were
 24 part of the Blue Ribbon Committee?

25 DR. RICHARDS: I had -- my son had a meeting with

Page 47

1 Victor Anderson, perhaps two months, the March meeting,
 2 and I had a demonstration of this software to Tim
 3 Fleming. Those are the only conversations I've had.

4 MEMBER GRUBBS: And so what resulted from those
 5 conversations?

6 DR. RICHARDS: Nothing.

7 MEMBER GRUBBS: So, no follow up?

8 DR. RICHARDS: No.

9 MEMBER GRUBBS: So, in your opinion, with the Blue
 10 Ribbon Committee, do you think that they really desire
 11 to have more accurate, better rolls?

12 EXECUTIVE DIRECTOR MILLS: I don't speculate on
 13 other people's opinions.

14 MEMBER GRUBBS: So, is there anything else out
 15 there in the marketplace that comes close to what you
 16 can do with your with Elly?

17 DR. RICHARDS: No, ma'am, I have twice the data the
 18 feds have.

19 MEMBER GRUBBS: So, do you -- what is your
 20 motivation in doing it? It's clearly not money, because
 21 you're doing it, you know, and making it available for
 22 free.

23 DR. RICHARDS: I took an oath every Tuesday night
 24 from age 11 to 18, when I became an Eagle Scout, I took
 25 an oath from age 18 right on when I joined the army,

Page 48

1 that I will protect and defend.

2 MEMBER GRUBBS: That's -- you have my respect for
 3 that, sir.

4 DR. RICHARDS: Thank you.

5 MEMBER GRUBBS: So, there are members of the boards
 6 of election here, and their election directors here, and
 7 that kind of thing. Have any directors reached out to
 8 you to inquire about how to possibly even implement, or
 9 to do a demonstration?

10 DR. RICHARDS: You would be stunned how many are
 11 waiting for me to release it across the country. A
 12 letter has gone out to every county in Arizona from the
 13 chairman of the Senate Election Integrity Committee
 14 advising them to use it. I've met with other states. I
 15 don't mention customers, but other states, they are
 16 waiting for me to release it. That release will
 17 officially be later this month.

18 MEMBER GRUBBS: So, does Georgia --

19 DR. RICHARDS: I just want to start in Georgia. I
 20 live here.

21 MEMBER GRUBBS: Right. Right. Right. So is
 22 Georgia peculiarly different from other states, and
 23 people just not wanting to give it a chance?

24 DR. RICHARDS: I haven't -- I haven't gone out and
 25 widely promoted it. It's not a product that I'm

Page 49

1 selling. I don't want it to be purchased and used
 2 because of a lot of adjectives and adverbs. I want it
 3 to be used because of the data, the integrity of the
 4 process is incredibly important. I'm not going to let
 5 people use it who are going to use it wrong, and I want
 6 to make sure they're fully trained, because if you open
 7 this up and see that 52 percent -- well, let me mention
 8 100 percent of the registrations in South Carolina have
 9 a case. 100 percent. That doesn't mean 100 percent are
 10 invalid. That means 100 percent need to be looked at.

11 MEMBER GRUBBS: So -- so just to be clear, you can
 12 go address and see -- see how many registrations are
 13 there?

14 DR. RICHARDS: Sure. And I can see who has them,
 15 and then I can click on them and go look up their
 16 history. We call it their story. We can tell the
 17 entire story of that person surrounding their election
 18 registrations and voting history. I know how they
 19 voted. I know when they voted. I know when they got
 20 their absentee ballot. When they returned it. All that
 21 information is publicly available if you'll just spend
 22 several years finding out how to get it.

23 MEMBER GRUBBS: I would like to have someone get
 24 with you, you know, Cobb County is my home, and before I
 25 was on the board, I found it very curious that there

Page 50

1 were hundreds of registrations at our local newspaper
2 address.

3 DR. RICHARDS: What's the address, I'll look them
4 up?

5 MEMBER GRUBBS: Give me one second, and I'll look
6 it up.

7 MEMBER MILLS: Dr. Richards, could you lean into
8 the mic a little bit. They're having -- We want the
9 people to hear what you're saying.

10 DR. RICHARDS: All right. Thank you. So, here we
11 are in Cobb County, and we have 482 registered at Powder
12 Springs. 361 registered at Terrell Mill. These are the
13 registrations of Cobb County, and that's how quick it
14 is. We have 80 billion data elements in Elly.

15 MEMBER GRUBBS: Okay. It's 47 Waddell, W-A-D-D-E-
16 L-L.

17 DR. RICHARDS: Okay. 47 W-A --

18 MEMBER GRUBBS: -- D-D-E-L-L, Street.

19 DR. RICHARDS: Street. All right. Let's see. And
20 that's what city?

21 MEMBER GRUBBS: Marietta.

22 DR. RICHARDS: 47 Waddell, it says there's nobody
23 registered there.

24 MEMBER GRUBBS: Can you take out the extension just
25 to see? Okay. Maybe they finally cleaned it up.

Page 51

1 DR. RICHARDS: Let's go back over here. Let's go
2 to the advanced filter. And in advanced filter, you can
3 search for anything, by anything, and you get can also
4 sort by anything for anything, so you can narrow it
5 down. So we'll go to -- we're going to -- we got the
6 best address as well as the mail address and the -- the
7 47 W-A-D-D-E-L-L. Let's try finding it this way. So it
8 will take a few seconds to go through. There we go.
9 Nothing there. They must have cleaned it up.

10 MEMBER GRUBBS: Okay. That's good. Good on Cobb
11 County.

12 DR. RICHARDS: But I'll send you credentials. And
13 if y'all send me your email -- if anybody in here sends
14 me their email at doctorr@theelectorlist.com, I'll send
15 you the link to get credentials. Everybody can have
16 them.

17 DR. JOHNSTON: Would you say that in the mic.

18 DR. RICHARDS: Well, you go to this website.
19 Theelectorlist.com and when you go to the electoral
20 list, there'll be contact us. Just say you were at the
21 Georgia State Board meeting, and you want credentials,
22 no charge. I think we made that clear.

23 DR. JOHNSTON: Dr. Richards.

24 DR. RICHARDS: Yes, ma'am.

25 DR. JOHNSTON: What -- what would -- what is your

Page 52

1 ask for the state election board to improve the accuracy
2 and currency of voter lists? What would you ask us to
3 consider today?

4 DR. RICHARDS: I would -- I wanted the opportunity
5 to share. Obviously, I sat through two months meetings
6 to get to here. Thank you -- thank you so much for
7 that. I wanted to dispel the mythology around what we
8 were doing with Elly, and I want you to help me make it
9 available. I am willing to train the counties in how to
10 use this. I was hoping you would support me in by
11 saying decent thing to do, a next step, let's start
12 implementing it and use it. It's available to your
13 investigators. Think about your investigators who are
14 working on those cases that I showed you, Stephens and
15 Jason's. They could have solved that in a matter of
16 hours, minutes, minutes, and few phone calls. How much
17 time have y'all spent? How much time have y'all spent
18 sitting here listening to this mess? Challenges will go
19 away. You won't have any more of those. County Board
20 of Election meetings will be different. You'd be back
21 to the business at hand. Y'all would be back to the
22 business, and if you didn't get caught up in this
23 minutia of looking for data that's right in front of
24 your face.

25 EXECUTIVE DIRECTOR MILLS: Dr. Richards. I think

Page 53

1 you've raised some great points, and we do have some
2 other business that we have to get done. I want to say
3 thank you for this great presentation of substance. And
4 I would like to personally ask this board at another
5 time, but to think about and to consider all the -- all
6 the legal ramifications would have to be considered and
7 taken into account, but I would love for this board to
8 consider if everything could be checked out and be done
9 legally, I would love to have this on the state election
10 board website that people could access.

11 DR. RICHARDS: I'd be happy to cooperate, and I'm
12 honored to serve.

13 MR. CHAIRMAN: Thank you, Dr. Richards.

14 DR. JOHNSTON: Mr. Chairman?

15 MR. CHAIRMAN: Yes.

16 DR. JOHNSTON: I make a motion that we include a
17 link to Elly on the State Election Board website to be
18 used electively by registrars that are interested in
19 improving the accuracy and currency of their voter
20 rolls. Are we in Forsyth County? Forsyth County is
21 registered at 112 percent of voting age population. It
22 would benefit Forsyth County, maybe.

23 MR. CHAIRMAN: The motion's been made. Is there a
24 second?

25 MEMBER KING: Second.

Page 54

1 MR. CHAIRMAN: There's a motion to second to
2 discuss. I would like -- because I -- I don't oppose
3 that at some point. I think it's premature to do that
4 today without -- and this board hasn't had a chance to
5 go in and even look at this site. And I'd like to play
6 around with it myself and see what's on it. I'd like to
7 see minutes, first presentation, first I've heard of it,
8 and to -- for this board to endorse it after a 30-minute
9 presentation and questions, I think it's a little bit
10 premature myself. And I would like the opportunity to
11 spend some time with it myself, so.

12 MEMBER KING: Just for the record, this is not the
13 first time I heard of Elly. And at this point, he has
14 been here for months and been engaging us for months.
15 So I don't -- I don't know -- it's not -- I'm not making
16 this decision based off of a 30-minute presentation.
17 I'm making this decision based off the fact that we
18 currently do not have an adequate method at which our
19 public can assess their data, their county's data, in
20 order to ensure that their voter rolls are clean, and
21 that their registration is clean, and anything that
22 gives the voters more power, I will support. I don't
23 think that's up for debate.

24 MR. CHAIRMAN: My problem is that I haven't had a
25 chance to look at it yet, had that chance to have access

Page 55

1 to it, and I can't endorse something that I can't have
2 access to, or look at.

3 DR. RICHARDS: We can -- I'll have lunch with you,
4 I'll have lunch with all you. I'll let y'all play with
5 it, do anything you want to. I'll show it up here, but
6 the data in Elly is what was being used while challenges
7 for the past two years -- three years, and it was right.
8 It was plagued with disbelief at the county board of
9 election level, where they didn't even look at the data,
10 they just denied it. But we have all that data, we have
11 it now. I can give it to you down to the county. I'll
12 show it to you at lunch. You can play with as much as
13 you want to, but it's your data. If you find any errors
14 in it, that's what it's for. If it doesn't work, that's
15 a bug. Tell me, I can fix it.

16 DR. JOHNSTON: Is there a link to an Eric database?

17 DR. RICHARDS: Surely you just didn't mean to give
18 it to the member states.

19 MR. CHAIRMAN: Yeah, I'm not -- I'm not criticizing
20 what you do at all. I'm not criticizing this. I think
21 that it's inappropriate, though, for us to listen to a
22 presentation today, one side of the presentation, and
23 then vote to link it to our website without having a
24 legitimate discussion of it, you know. And I just think
25 we've got to hear both sides. If there are people that

Page 56

1 oppose it, they need to be able to oppose it, so this
2 board consider all options there. But to hear a
3 presentation day and then put on link it to the board,
4 and the board to say we, you know, support this, that's
5 an issue for me.

6 DR. RICHARDS: Yeah, I understand how you feel.
7 Others feel that same way. That's rational. But, when
8 you understand there is no opposition, because in order
9 to argue against data, you have to argue with data. You
10 can't argue with emotions.

11 MR. CHAIRMAN: I don't know if there's opposition.
12 I really don't.

13 DR. RICHARDS: Okay.

14 MR. CHAIRMAN: I just -- I don't know what's out
15 there, so I just think that this board does itself a
16 disservice if we don't hear both sides of the argument.
17 That's always been my position --

18 DR. RICHARDS: I'm happy to help.

19 MR. CHAIRMAN: -- whether it's, you know -- So, I -
20 -

21 DR. RICHARDS: Yes, sir.

22 DR. JOHNSTON: Mr. Chairman, would you be willing
23 to consider this motion tomorrow?

24 MR. CHAIRMAN: No. I don't think that one day in
25 allowing people to come asking me to come and speak

Page 57

1 tomorrow is legitimate either. I'm going to consider
2 this in the future when we've had time to look at it,
3 and let people attempt to opine on it. But to me, the
4 motion has been made. There's a second. This board's
5 going to vote on one way or another. I'm just making my
6 comments. I just don't think it's right for us -- the
7 boards at this time, so.

8 MEMBER KING: It seems like this feels like
9 bureaucracy, because you're basically saying that
10 tomorrow -- today is not good enough, tomorrow's not
11 good enough. I don't know when, but at some point I'll
12 just, you know, come up with, I don't know, like, why --
13 why do we continue at what -- What I'm not understanding
14 is why do we continue to draw things out. Why does
15 everything in government have to be so long and
16 dramatic. We just had a discussion. We heard from
17 Eric. We heard from several different organizations,
18 and they -- this is a free platform. It's we're
19 literally asking for a link to put a link up that people
20 can use at their own discretion. And if there are, if
21 there's anything that they see that's not accurate, he
22 has it where they can literally click a click, one
23 click, and go straight to whatever office or point of
24 contact they need to go to to get it rectified. I'm
25 just -- I don't want to keep delaying something that

Page 58

1 benefits the people.

2 MR. CHAIRMAN: If we put it on our website, we're

3 endorsing it.

4 MEMBER KING: I agree.

5 MR. CHAIRMAN: We're endorsing it. And without

6 having a full discussion of it, having people that may

7 or may not oppose it, may not be anybody that opposes

8 it, there may not be. But we haven't put it out there.

9 This is the first time it's been presented to the board.

10 I know he's been here before, and we've had to delay it.

11 But without having a full discussion of it, I just don't

12 think it's appropriate for this board to endorse

13 something like that. So and I'm not saying I oppose it.

14 I'm not saying it. I'm just saying I think this board

15 has an obligation to hear all sides of everything before

16 they make a decision on something, so.

17 MEMBER GHAZAL: Mr. Chairman?

18 MR. CHAIRMAN: Member Ghazal.

19 MEMBER GHAZAL: If I could identify somebody to

20 come in and provide factual information about Eric,

21 because I keep hearing that nobody understands what Eric

22 is, what this sources of data are, what -- what's -- how

23 it differs with PII versus publicly available

24 information. I think it behooves us and behooves the

25 voters and our audience to bring somebody in to give

Page 59

1 that presentation.

2 MEMBER KING: Member Ghazal, at the Blue Ribbon

3 Committee I sat and listened to Eric present themselves,

4 and it was not as -- it had nothing -- it was not even

5 close to being as good as this. And I don't need them

6 to tell me that they do not have as many states in their

7 program as this program. Like I don't need them to come

8 in and tell me that. We can see that.

9 MEMBER GHAZAL: Okay. So -- so we're just based on

10 -- I was not at that commission committee meeting. I

11 don't know how many people here were. I thought we were

12 the board and not the committee.

13 MEMBER KING: Okay. I would love for Eric to come

14 before us, if that's what you're suggesting.

15 MEMBER GHAZAL: Yeah, that's exactly what I'm

16 suggesting.

17 MEMBER KING: Okay.

18 DR. RICHARDS: Yeah. I'd like to remind Member

19 Ghazal, Elly is not a replacement for Eric. It is a

20 supplement to Eric. John's product, Cephas, is a

21 replacement for Eric. So Elly has nothing to do with

22 replacing Eric. It does everything that Eric does, but

23 at the county level.

24 MEMBER GHAZAL: So -- so, in other words, are you

25 saying you have the PII that --

Page 60

1 DR. RICHARDS: I don't need the PII. The only

2 thing the PII is good for is getting the -- the

3 citizenship data, and I don't get the citizenship data.

4 So we -- we are able to -- if there's a population of

5 1000 without the PII data that you're talking about, we

6 can only find 990 of the problems. We need the social

7 security number to get the other 10. But we don't need

8 to wait until we can do all 1000 to work on the 990.

9 Eric can handle the 10.

10 MEMBER GHAZAL: Well, I'm going to -- I'm going to

11 give you an example of that has nothing to do with

12 citizenship, but that required PII. We received a

13 referral from the Department of Justice for a potential

14 double voter. A person we had all three names, and it

15 appeared from what the DOJ had and referred to us that

16 somebody had registered and voted in two states at the

17 same time. With the PII, we discovered that these were

18 two entirely different people, so we're dismissing the

19 case because it was not --

20 DR. RICHARDS: You did your job. Congratulations.

21 MEMBER GHAZAL: Yes, but my point is --

22 MR. CHAIRMAN: Well, we haven't done anything yet.

23 DR. RICHARDS: No. Then in that case, they did

24 their job. The screening process led it to you to take

25 the final decision in action. That's what Elly does.

Page 61

1 You're right.

2 MEMBER GHAZAL: But my point is, without PII, there

3 is a very high risk of false positives.

4 DR. RICHARDS: Elly doesn't do positive and

5 negative. It points you to the direction to research.

6 And the person sitting in the county's office sits there

7 and has the Elly screen, no PII, and they have the

8 county screen PII. So they see this. They do that,

9 say, oh, never mind. It's not a problem, it's part of

10 the process. It's supposed to happen that way. You are

11 absolutely accurate. Thank you.

12 MEMBER GRUBBS: So, as far as my opinion, I think

13 Dr. Richards is to be commended for what he's doing. I

14 mean, it is a public service, and I wish we had more

15 people who were dedicated to truth and transparency. As

16 far as I appreciate you saying it's not a replacement

17 for Eric, and I do recall your son presented at the

18 meeting we had in Marietta and. And I think it's --

19 it's time that alternatives are sought and that kind of

20 thing. To Member Ghazal's point, I would love to have

21 representatives of Eric come in and hear what they have

22 to say, and basically give for why some of the things

23 happen that happen. As far as linking to our website,

24 we don't even have our own website at this point. So it

25 would be kind of hard to link to our website, unless

Page 62

1 we're talking about linking to the Secretary of State's
 2 website, in which they give us just a little corner of
 3 the universe to sometimes post things once they get
 4 approved. And I know approved is not the right word,
 5 but that's a whole other situation. So, you know, I
 6 think free tools to the public are a great idea, but do
 7 you have an idea of how to get through the gulag of
 8 posting something to the website when we have to ask
 9 Mother May I?

10 MR. CHAIRMAN: That's that's not the way it works.
 11 MEMBER GRUBBS: It is the way it works.
 12 MR. CHAIRMAN: No, it's not --
 13 MEMBER GRUBBS: Yes, it is. Yes, it is --
 14 MR. CHAIRMAN: -- They physically have the people
 15 that do the posting. We don't have people do the
 16 posting, since it's their website. What happens is,
 17 when something is to be posted and sent to me for
 18 approval, I send it, and I say, okay, it's approved for
 19 posting. That's the way it works and it goes --
 20 MEMBER GRUBBS: Is it true or not true that you
 21 send it to Charlene McGowan for approval?
 22 MR. CHAIRMAN: No, she does not approve it. She
 23 posts it. I approve it.
 24 DR. JOHNSTON: What's the difference?
 25 MR. CHAIRMAN: Because -- because I can't -- I

Page 63

1 physically cannot post it. I don't have the ability.
 2 They're --
 3 DR. JOHNSTON: Neither can she, Chairman Fervier.
 4 MR. CHAIRMAN: But the IT people report to her.
 5 DR. JOHNSTON: But she filters it.
 6 MR. CHAIRMAN: She doesn't -- She does nothing with
 7 it except tell them to post it.
 8 MEMBER KING: You do have to get her approval.
 9 MR. CHAIRMAN: No.
 10 MEMBER KING: Well, the IT department has to get
 11 her approval.
 12 MR. CHAIRMAN: She just -- they -- they report to
 13 her.
 14 MEMBER KING: Right. So they have to get her
 15 approval to post it.
 16 MR. CHAIRMAN: She doesn't approve the document,
 17 though. I approve the document. I approve the
 18 document. She posts it. She's never says to me, We're
 19 not posting this. Ever.
 20 DR. JOHNSTON: Why in the world doesn't the state
 21 election board have the phone number of IT and call them
 22 directly and say post our meeting agenda?
 23 DR. RICHARDS: I'm going to show you a perfect
 24 example of the problem with Eric. We've got the move
 25 data. We've honed down on Georgia, the June process --

Page 64

1 datas in process, Fulton County. They get a lot of
 2 heat. Let's go down to the moved and registered. Moved
 3 and registered Fulton County, 12,000. Those that are
 4 county to county, there are only 24 that haven't been
 5 processed. Fulton County is doing their job. There are
 6 12,000 of the states that haven't been processed.
 7 Eric's not doing their job, so quit bussing Fulton
 8 County.
 9 MEMBER GHAZAL: Dr. Richards?
 10 DR. RICHARDS: Yes, ma'am.
 11 MEMBER GHAZAL: Under the NVRA and under Georgia
 12 state law, the only way an out-of-state mover can be
 13 removed from the voter rolls is if we have a copy of
 14 their registration with their signature. In the absence
 15 of having that, both Georgia state law and the NVRA
 16 requires the state, requires Georgia, to place those
 17 voters in inactive status. It has nothing to do with --
 18 Eric has nothing to do with whether or not we can remove
 19 a voter. All they can do is flag it --
 20 DR. RICHARDS: Yes.
 21 MEMBER GHAZAL: -- and at that point the county, or
 22 I don't know whether it's the county or the state,
 23 reaches out to the new jurisdiction and requests a copy
 24 of the voter registration with the signature. If we
 25 have that, that is what allows the county to remove the

Page 65

1 voter immediately. Without a copy of that wet
 2 signature, we are required to place the voter in
 3 inactive status for two federal election cycles.
 4 DR. RICHARDS: I would respectfully request that
 5 you review the law.
 6 MEMBER GHAZAL: I have read it many times. I would
 7 request that --
 8 DR. RICHARDS: Where does it say -- where does it -
 9 -
 10 MEMBER GHAZAL: -- you --
 11 DR. RICHARDS: -- say a wet signature is required?
 12 MR. CHAIRMAN: One -- one speaking at a time,
 13 please, for the court reporter over there. She is going
 14 crazy trying to record everything from two people.
 15 DR. RICHARDS: Yes, but the fact that someone has
 16 obtained a registration in another state requires their
 17 signature is evidence that they have signed and
 18 acknowledged that they are a resident of that state, or
 19 they are committing a felony in that state. They have
 20 taken directive action to declare their residency in
 21 that location. Therefore, their residency in Georgia is
 22 void. And you can go through these hoops that the
 23 Secretary of State has put out in front of you to do all
 24 this rigmarole that is required by law, but the
 25 September 24th DOJ guidance is pretty clear.

Page 66

1 MR. CHAIRMAN: Any further comments or questions?

2 DR. JOHNSTON: I know that my mother moved from

3 Florida to Georgia, and in three weeks' time received a

4 nice postcard from Florida asking if she had moved and

5 to ask her politely to change her -- cancel her voter

6 registration. There's -- there's nothing that prevents

7 our counties from doing the same, our counties in

8 Georgia. And this tool would be magnificent for the

9 registrars in all of the counties to use to improve

10 voter registration in Georgia, since Georgia is

11 registered at 103 percent of the voting age population.

12 So I would applaud a tool that we now have that we could

13 offer to all of the counties. They're in charge of

14 their -- their voter rolls. The counties are. The

15 Secretary of State simply is the holder of the entire

16 state's voter rolls, but it's the county's

17 responsibility. Right, Ms. (Indiscernible)?

18 MR. CHAIRMAN: Are there any counties in Georgia

19 using this currently?

20 DR. RICHARDS: Officially, no.

21 MR. CHAIRMAN: Unofficially?

22 DR. RICHARDS: Can't say.

23 MR. CHAIRMAN: They have to have credentials. He

24 would know if they were using it. So but he would know

25 who has credentials.

Page 67

1 DR. RICHARDS: In fact, there are two separate

2 portions, portals. There's a portal for election

3 workers, and there's a portal for non-election workers.

4 These people cannot see each other's notes workspace

5 because they want to get together and discuss, what are

6 we going to do about this. It's just like the chat

7 section, those don't cross. The data's to both of them.

8 The comments made when the submission button is hit can

9 be read by the county. And once it's -- once it's

10 submitted, once a record is submitted for a reason, it

11 goes into the county inbox. It is not available for

12 working by anybody else. So there are no duplicate

13 efforts on the part of the county election workers.

14 That -- that registration further action until the

15 county has reviewed it, researched it, and made a

16 decision. So, no double work at the county level.

17 MR. CHAIRMAN: Yeah, I would feel much more

18 comfortable, number one, if I was able to get in myself

19 and look at it. And, number two, is if -- not today --

20 I would feel more comfortable if I was able to get into

21 it and look at it myself. Not today at lunch, please.

22 DR. RICHARDS: Yes, sir.

23 MR. CHAIRMAN: I'll be on my fourth coke by then.

24 And if I knew some counties had access to it, I could

25 talk to them and say, How do you -- what do you think

Page 68

1 about this? What issues have you had? I mean, like my

2 good friend, Ann Dover, or somebody that I know that I

3 know is going to --

4 DR. RICHARDS: If you'll send me their emails, I'll

5 give them credentials, and I can have some that are

6 using it, some that you want to use it, that you have a

7 relationship with, so they can advise you is it good.

8 Does it need to be improved. All of the features of

9 Elly came from suggestions from county election workers.

10 MR. CHAIRMAN: Let me just go back to say I have no

11 relationships with any county --

12 DR. JOHNSTON: Mr. Chair?

13 MR. CHAIRMAN: Yes.

14 DR. JOHNSTON: Can you call the Attorney General

15 and ask the question if there is a legal prohibition or

16 concern for posting this link on our website as a tool

17 as a database that can be accessed by anyone?

18 MR. CHAIRMAN: Yes, I'll make that call.

19 EXECUTIVE DIRECTOR MILLS: At lunch?

20 MR. CHAIRMAN: Yes. And that wouldn't change my

21 opinion, because I still want to see -- I don't know --

22 I don't think there is a prohibition. I just -- before

23 this board endorses something, I would like to know how

24 it works, and have some other people have used it, and

25 say this is a great tool.

Page 69

1 DR. RICHARDS: I'll stay as long as you want

2 tonight, and as long as people here want. Be happy to

3 do demos with the videos that I show live data, no

4 pictures. Because we can't have everybody's -- your

5 daughter's address and name showing up there. The last

6 time I showed live pictures, CBS made a big hubub [sic],

7 and embarrassed a lot of people. But I would be happy

8 to do a live demo, just no pictures.

9 MR. CHAIRMAN: Any further comments or questions

10 from the board? There's a motion on the table to post a

11 link on our website to this. There's a second. Any

12 further comments or discussion? All those in favor

13 signify by saying aye. Any opposed, signify by saying

14 no.

15 MEMBER GHAZAL: No.

16 MR. CHAIRMAN: The Chair will vote no also at this

17 time, because I've already explained myself multiple

18 times. So motion fails two to three. Thank you. I

19 think that this is a perfect time for a short break.

20 The Chair will entertain a motion for a short break.

21 MEMBER KING: So move.

22 MR. CHAIRMAN: Motion for second. All in favor

23 signify by saying aye. Thank you. We will -- we will

24 break for about five to seven minutes.

25 (Whereupon, a break was taken during the

Page 70 1 proceeding.) 2 MR. CHAIRMAN: We will call back into the order the 3 meeting at this time. The next on the agenda is public 4 comment. And this portion of the public comment will be 5 only for those people that want to speak on the rules 6 this board is scheduled to hear this morning. So if 7 you've signed up for any other comments, you'll have 8 your chance at a later time. We just want to hear from 9 people that want speak on the rules, and we're really 10 strict about that. 11 So, if you get up here and start talking about 12 something else, we may have to cut you off, and rules 13 only, please. We asked for your participation and your 14 consideration of that. Our executive director will 15 manage this process, and your comments are kept at two 16 minutes, please. 17 EXECUTIVE DIRECTOR MILLS: Thank you, Mr. Chairman. 18 At this time we would hear from I believe Dr. Konrad 19 Hayashi. And I believe there's a timer that you can see 20 here located, so you'll be able to see that as you begin 21 to speak. Each speaker and Sean will help us if you 22 don't stop. 23 DR. HAYASHI: Yes, sir, and I appreciate that you 24 have that timer, because it makes it much better than 25 having to look at the iPhone and go back and forth. So,	Page 72 1 slight discursion in that I really saluted and was 2 impressed by the presentation on Elly until I did a 3 little more research, and I looked -- I looked at Jane 4 Kim's article of March 18th -- 5 EXECUTIVE DIRECTOR MILLS: Are you speaking to the 6 rule? Which rule are you speaking to? 7 DR. HAYASHI: Oh, I'm sorry. I was -- I'll go 8 back. So, thank you very much. And I think that nobody 9 -- there should be reasonable and customary charge only 10 when, unless a challenge is found to be valid. Thank 11 you. 12 MR. CHAIRMAN: Thank you, Dr. Hayashi. 13 EXECUTIVE DIRECTOR MILLS: All right. Let me just 14 remind, this is to speak to the rules that are before 15 the board, so other comments would be at a later time. 16 All right. Betsy Shackelford, please. And then after 17 that, Mandy Schultz, if you would come on down, and 18 Roenell Sollers. 19 BETSY SHACKLEFORD: I would like to speak to one of 20 the rules, but also I am going to make an ad hoc 21 statement. Elly is the godchild of Eagle AI, a 22 discredited data -- 23 EXECUTIVE DIRECTOR MILLS: Ma'am -- Ma'am, we just 24 got through saying the rules. 25 BETSY SHACKLEFORD: Okay. So my right to free
Page 71 1 anyway, thank you for having pronounced my name somewhat 2 close. And I'm a Navy retired Dr. Kondrad Hayashi, and 3 I'm a public health specialist from Thompson Park, 4 Decatur. And as a taxpayer, I hate to see hardworking 5 public officials wasting time that distracts them from 6 mission accomplishment. And that includes dealing with 7 historically baseless mass voter challenges. 8 Now, in 2022 a widely discredited group, True the 9 Vote, filed 360,000 voter challenges. A federal judge 10 later called them quote, "seemingly frivolous",unquote, 11 and that they quote, "utterly lacked 12 reliability",unquote. Their shoddy methodology has 13 become legend. In Georgia just six people were 14 responsible for 89,000 voter eligibility challenges for 15 a single election. The nonpartisan group Protect 16 Democracy found mass challenges often rely on flawed 17 data, and without having social security numbers, are 18 mostly, and effectively in one county in Georgia, about 19 97 percent of them were thrown out after scrutiny. 20 The radical leftist state of Florida has a \$1,000 21 fine for frivolous challenges. While we must 22 investigate legitimate fact-based challenges, we should 23 not reward frivolous taxpayer using and unwarranted 24 challenges. When challenges are found to be valid, only 25 then should cost be reimbursed. I would like to make a	Page 73 1 speech is limited. 2 MR. CHAIRMAN: You have that right portion public 3 comment. 4 BETSY SHACKLEFORD: I am stunned by the utter 5 uselessness of the proposed rule to require poll workers 6 to create handwritten lists of voters. I can only guess 7 that maybe Janice Johnson is at war with technology, 8 except for Elly. I wonder if next she will require 9 grocery store clerks to write out individual items and 10 costs for handwritten receipts and require communication 11 with her to be handwritten rather than emails and texts. 12 She is no doubt aware that implementing such a fallback 13 to archaic methods would create in some counties stacks 14 of hundreds of 1000s of sheets of paper for each 15 election, not to mention slowing the check-in of voters 16 so badly, that long lines would be created resulting in 17 some voters becoming frustrated or unable to remain in 18 line longer. I believe this last scenario is the real 19 reason to try to turn back the clocks and avoid the 20 technology that enables us poll workers to efficiently 21 check in voters. She and her MAGA colleagues are 22 anti-voter and under the thumb of an election-denying 23 deranged president. I will never forget Johnston's 24 preening little pirouette at a Trump rally -- 25 EXECUTIVE DIRECTOR MILLS: Ma'am, that has nothing

Page 74 1 to do with the rules -- 2 BETSY SHACKELFORD: It does. It does. It does 3 indeed. It has to do with the person who is setting 4 this rule in front of us. Do not accept this 5 ridiculous, harmful rule that serves neither voting 6 processes nor voters. 7 EXECUTIVE DIRECTOR MILLS: All right. Mandy 8 Schultz. If you start going on about something that's 9 not about the rules, I'm going to gavel you down, and 10 you'll -- you'll lose the remainder of your time if you 11 continue to do that. So, please honor what everybody 12 else is honoring here during this time. Thank you. 13 MANDY SCHULZ: Good morning, my name is Mandy 14 Schultz, and I'm a Fulton County voter. I'm here to 15 oppose two petitions. First, the Bartelski petition, 16 which proposes to prohibit counties from charging for 17 voter registration challenges. Currently, finding a 18 challenge filing one costs the challenger nothing. 19 Counties bear the entire burden, like staff, time, 20 hearing, and notifications for challenges that are 21 overwhelmingly dismissed. A single Cobb County 22 residents used Eagle AI software to file nearly 2500 23 challenges in one month, but 95 percent of those voters 24 were already on track to be removed. The challenges 25 accomplished nothing except consuming county staff and	Page 76 1 forward today. Thank you. 2 EXECUTIVE DIRECTOR MILLS: Thank you. And thank 3 you for speaking to the rules. Roenell Sollers. And 4 then after that, Pam Woodley and Katherine -- I'm sorry, 5 I can't read the last name. 6 ROENELL SOLLERS: My name is Roenell Sollers, and 7 I'm a resident of DeKalb County. We live in a digital 8 age. Digital record keeping is safe, secure, efficient 9 and accurate. Computers have significantly increased 10 our ability to maintain large databases of information. 11 The proposed rule change is unnecessary. It requires a 12 handwritten paper version of a numbered list of voters. 13 Not only is the paper copy unnecessary, it's also 14 impractical. I manage one of the largest precincts in 15 DeKalb County with 5,050 voters. It may be simple for a 16 small precinct to incorporate this change, but it would 17 be extremely difficult for a larger precinct. The 18 proposed change would only add chaos and confusion to an 19 already busy day. Information on the proposed rule 20 states that a poll worker will be assigned to the task 21 of check-in and writing the voters' registration full 22 name as recorded in the electors list on the numbered 23 list of voters in a legible manner, but it also states 24 that no additional poll workers will be required. Thus, 25 a poll worker is assigned an additional task, slowing
Page 75 1 time. The rules makes it permanently free now, and 2 consequence free for anyone who wants to make these 3 challenges all at scale. And now it's being asked to 4 make these challenges permanently free, and the board's 5 own investigator built his career filing exactly these 6 kinds of challenges against Fulton County voters. The 7 board should not be in the business of making that 8 permanently frictionless. On Member Grubbs petition, 9 I'm asking this board not to initiate rulemaking. The 10 board has a documented pattern of last-minute additions, 11 Member Ghazal's recess at prior meetings, and again 12 today, May 14th was the latest example at the online 13 meeting. We got two days' notice of what was being 14 proposed, but the documents were actually posted on 15 Facebook the day of the meeting. It was rushed through 16 the chair, being absent, one member in and out, another 17 already said she had to leave. Three of the four 18 proposed rules target one race, the July 28th CD13 19 special election. A legislature convenes in special 20 session June 17th, that is 14 days from now, to address 21 the same July 1st deadline these rules work around. 22 That is the legislature's lane. The Georgia Supreme 23 Court has already told this board it cannot exceed its 24 statutory authority through rulemaking. Please, the 25 board should not reward that process by moving it	Page 77 1 down the check-in process and increasing wait times, 2 finding the voter's name on an electors list with over 3 5,000 names in fine print and time consuming. This rule 4 change is not needed, and the current system should be 5 left alone. I've never heard of any problems with it. 6 Why fix something that isn't broken and actually works 7 well? To look at this differently, electronic records 8 are everywhere. I probably -- I, along with probably 9 everyone in this room cares about the security of 10 financial records. One common example is online bank 11 statements. I only receive electronic versions of bank 12 statements, and I trust these records, and for good 13 reason. It's never been wrong. This also applies to 14 electric electronic poll books. Please vote no on this 15 proposed rule. Thank you. 16 EXECUTIVE DIRECTOR MILLS: All right. Pam Woodley. 17 PAM WOODLEY: Hi, I'd just like to confirm my 18 agreement with the previous commenters. I don't 19 understand why the numbers list, the handwritten one, is 20 needed, and I don't understand what will be done if 21 there's a discrepancy at the end of the day. I, with 22 100 percent certainty, it'll be human error, as we have 23 seen over and over again. When there are problems in 24 elections, it is human error 99.9 percent of the time, 25 and fraud the point one percent of the time.

Page 78 1 EXECUTIVE DIRECTOR MILLS: Thank you. Katherine 2 K., I'm going to say I'm sorry, your last name -- 3 KATHERINE KRUMMERT: It's Krummert, but I properly 4 wrote very quickly, I'm sorry. I'm Katherine Krummert, 5 I'm from Forsyth County, a poll worker and observer of 6 proceedings. I am here today to ask that the board 7 reject moving forward with agenda item 5B regarding 8 prohibition of charges for voter registration 9 challenges. Forsyth County illustrates why counties 10 should not bear the cost. Forsyth has been a target 11 county for voter challenges for the last five years, 12 especially since passage of SB202, which enabled mass 13 challenges. Since 2021, 63,224 registrations were 14 challenged, 1/3 of the county's over 182,000 registered 15 voters, at one point 15,000 challenges were made at the 16 same time. Of these, more than 63,000 challenges, 1,370 17 registrations were canceled. This is two percent. It 18 must be highlighted that most of these cancellations 19 would have occurred during routine roll maintenance 20 challenges waste time and money. Challengers ask 21 elections offices to print their reams of evidence, but 22 paper is a tiny fraction of the total cost. The 23 greatest cost is time. Over five years, five board 24 members and several staff have spent 1000s of hours 25 reviewing and tracking these challenges, printing the	Page 80 1 oversight from becoming citizen micro management. The 2 job of voter roll maintenance belongs by statute to the 3 state and county elections officials who have access to 4 the databases with non-public information, the 5 expertise, and the procedures in place to complete this 6 task accurately and fairly. When a challenge is 7 initiated, procedures for notice to the challenged voter 8 must be followed to prevent the disenfranchisement of 9 legitimate voters. These procedures are costly, 10 including mailing, printing, and staff time. A citizen 11 who researches public sites and files large numbers of 12 voter challenges based on partial matches and 13 unsupported inferences is not performing a service. 14 Individuals should not be allowed to charge the cost of 15 investigating their suspicions to the taxpayers of any 16 county. When the taxpayers are paying. There's less 17 incentive for a challenger to be certain that these 18 challenges are well supported, leading to much wasted 19 time, as well as taxpayer money. Testimony on this 20 rule, please consider carefully all the implications, 21 including costs to taxpayers. Please reject, or, at a 22 minimum, table this rule to seek broader input from 23 stakeholders, including elections professionals and 24 county board members, before taking a vote on such a 25 serious matter. Thank you for this opportunity to
Page 79 1 letters that must go to voters, the follow-ups. Time is 2 money, and these hours of time are not accounted for. In 3 some, our county elections offices should not bear the 4 unnecessary, inefficient, and costly burden of 5 challenges that produce a negligible return. Thank you. 6 EXECUTIVE DIRECTOR MILLS: Thank you, Ms. 7 Katherine. The next three are Elizabeth Hendrickson, 8 Garland Favorito, and Tamara Favorito, if you would make 9 your way. 10 ELIZABETH HENDRICKSON: My name is Elizabeth 11 Hendrickson, and I'm from Cobb County. I'm speaking in 12 opposition to proposed rule 183-1-6-.07 because it goes 13 beyond clarification of the statute into creating policy 14 that allows individuals to force counties to spend 15 taxpayer funds to investigate any number of challenges. 16 The part of the rule referring to only one hard copy 17 being required of the challenger is even further 18 overreach into what should be procedures determined by 19 the county in the absence of direction in statute. If 20 there were litigation, the rule in court once again 21 wasting taxpayer funds. I appreciate citizen engagement 22 in the elections process. Our election system is better 23 because of the volunteers who are poll watchers and 24 participate in vote review and ballot duplication 25 panels. It is important, however, to keep citizen	Page 81 1 speak. 2 EXECUTIVE DIRECTOR MILLS: Garland Favarito and 3 then Ms. Tamara Favarito and then Don Hackney. 4 GARLAND FAVARITO: She's not here today. She 5 couldn't get here. My name is Garland Favarito. I am 6 the co-founder of Voter GA. We have led the election 7 integrity movement in Georgia since 2026 with over 8 20,000 supporters. I've got a career IT professional of 9 40 years in the business, including 13 years of cyber 10 protection of the identities, accounts, and transactions 11 of over one and a half million online banking customers. 12 I wanted to speak to the numbered list of voters rule. 13 Numbered list of voters, I'm surprised that some of the 14 previous speakers don't know, is already in statute 15 212456. The problem numbered voters list is not 16 produced on time, and sometimes it's not even produced 17 at all in certain of the counties, and it's a necessary 18 fraud prevention measure, as you've already discussed 19 here at the board. The legislature already almost 20 passed this in the last session. There have been 21 several different bills that similar language is in, so 22 it's just a matter of time, I think, before the 23 legislature confirms this. The issue is just that it's 24 not, it's not produced on time, and it's not public as 25 in a timely manner. And so the bottom line of this rule

Page 82 1 to me is that if you don't know who voted an election, 2 how can you say that you conducted an election. So, 3 thank you. 4 EXECUTIVE DIRECTOR MILLS: All right. Don Hackney. 5 Don, are you here? 6 DON HACKNEY: I'm Don Hackney, a retired Atlanta 7 attorney. One year ago, the Georgia Supreme Court 8 dramatically reduced this board's authority to engage in 9 rulemaking. Unfortunately, some in this room are still 10 in denial. The paternal vigilance order demands that a 11 proposed rule must meet each of three separate tests. 12 All of the recent petitions can't even make it past the 13 first test. The legislature must have actually, 14 actually designated delegated the authority to the 15 board. They could do this with a law that says, quote, 16 "the SEB is hereby delegated the authority to do X", or 17 that quote, "the SEB shall develop rules to do Y". None 18 of these petitions meets this test. The paper ballot 19 petitions are the most egregious. There is, of course, 20 no actual delegation, the SEB of the authority to 21 drastically change the way Georgians vote in person. To 22 make it worse, these efforts would nullify the most 23 important statute in our entire election code. Section 24 300 demands that in-person elections be conducted by 25 electronic ballot markers. Can anyone think of a more	Page 84 1 12th, 2024 our board adopted voter challenge procedures 2 under OCGA 212229 and 212230, with advice of council. 3 These policies provide clarity where statute is silent 4 and create a fair and transparent process grounded in 5 integrity and due process. Included in our policy is a 6 provision requiring challengers to pay the direct cost 7 associated with notice to challenge voters. This is a 8 cost recovery measure tied to the legally required 9 notice process. Counties cannot reasonably forecast how 10 many voter challenges may be filed without this 11 provision. All costs fall entirely on election offices 12 and taxpayers. Our policy ensures responsible 13 stewardship of public resources, while encouraging 14 challenges that are specific and well substantiated. To 15 date, challenge cost worksheet. Our estimated service 16 costs per challenge voter is approximately \$1.88. One 17 challenge filed in June 2024 before our procedure 18 involved 2472 voters, 106 were potentially eligible to 19 proceed to a hearing, and would have had associated 20 notice costs at this amount. I also have concerns 21 regarding the final portion of this proposed rule 22 attempting to dictate acceptable submission practices 23 for challenge materials. The language is vague. It 24 does not clearly define what materials are being 25 referenced, and reaches into administrative procedures
Page 83 1 fundamental legend for the General Assembly? Eternal 2 Vigilance and the recent Superior Court case threw out 3 six SEB rules that dealt with relatively mundane issues 4 of election administration, so how could it possibly be 5 that this board could simply erase critical election law 6 and adopt their favorite method of voting? The petition 7 should have been quickly dismissed. Instead, hundreds 8 of Georgians have been subjected to five lengthy regular 9 meetings and three special meetings, and the public 10 servants on our county boards and their staff have 11 suffered the anxiety and fear of simultaneously 12 preparing for two entirely different voting systems. 13 Mr. Chairman, I have a suggested solution to this 14 dilemma, and I hope that -- 15 EXECUTIVE DIRECTOR MILLS: Your time is up. 16 DON HACKNEY: -- I hope that a member of this board 17 will ask me to describe it to you. Thank you. 18 EXECUTIVE DIRECTOR MILLS: All right. Next, we 19 have Jennifer Mosbacher, Melissa McCollen, and Gail Lee. 20 If you would make your way down, please. 21 JENNIFER MOSBACHER: Good morning, my name is 22 Jennifer Mosbacher. I'm the chair of the Cobb County 23 Board of Elections and Registration. I'm here today to 24 speak regarding proposed rule 183-6-07, prohibition of 25 charges for voter registration challenges. On August	Page 85 1 that are better managed at the county level. Counties 2 need flexibility to administer these processes in a way 3 that is operationally practical and consistent with 4 local resources. I fully encourage that this rule be 5 tabled, or its adoption declined, and I welcome a 6 collaborative review of voter challenge election 7 professionals, board members, and legal counsel across 8 the state -- 9 MR. WHITE: Your time has expired. 10 JENNIFER MOSBACHER: -- together we can better 11 serve counties, voters, and challengers. 12 EXECUTIVE DIRECTOR MILLS: Thank you. 13 JENNIFER MOSBACHER: And I have one copy of our 14 challenge procedures, if you would like. 15 EXECUTIVE DIRECTOR MILLS: Sure. If you would like 16 to Sean White over here, he'll take care of that. Thank 17 you so much. 18 MR. CHAIRMAN: He's our official bailiff. 19 EXECUTIVE DIRECTOR MILLS: And, Ms. Melissa. 20 MELISSA MCCOLLEN: Yes, I'm Melissa McCollen. I'm 21 from Hall County. I don't follow this. I just read 22 them today, so I can't give specific things. But we, 23 the taxpayers, should not have to pay for people to 24 challenge ginormous numbers of voter registrations. If 25 you want to challenge one or two, then put that -- that

Page 86

1 we'll pay for that, but there's no reason for us to pay
 2 the whole thing. The other thing is on. The one where
 3 you want to make the separate list, you only want to
 4 have one list that is continuous. Does it stop at the
 5 end of the day? Do you start the numbers again
 6 tomorrow? What happens to people who do early voting if
 7 you just, how do you going to get them back to their
 8 precinct? How are you going to, you know, do the whole
 9 time of early voting with all those numbers, and then
 10 get all the way to vote day, and then have those
 11 numbers. In the old days, they had a big computer
 12 sheet, and they found your name, and you scribbled your
 13 initials by it. Now they do it on the computer, they
 14 find you, you show them your license, they take a
 15 picture, so they know who voted from the computer. I
 16 cannot see anything that could happen from this, except
 17 for craziness.

18 EXECUTIVE DIRECTOR MILLS: Gail Lee.

19 GAIL LEE: I am Gail Lee, a member of the DeKalb
 20 Board of Registration and Elections, and I'm speaking as
 21 a board member in support of the petition to prohibit
 22 charges for voter registration. Full disclosure, before
 23 becoming a board member, I was a challenger. As a
 24 board, it is our responsibility to maintain voter roll
 25 accuracy as much as possible under the current rendition

Page 87

1 -- rendition of the NVRA and the court's interpretation
 2 of it. When citizens present challenges to
 3 registrations pointing out individuals who are deceased
 4 registered at mailing facilities are 12 or 125 years
 5 old, or moved to other states and subsequently
 6 registered there, they are rendering service to our
 7 county because accuracy is the responsibility of the VRE
 8 and the board. The costs associated with processing the
 9 challenges should not be borne by the challengers. They
 10 are, after all doing our job. Both OCGA 212229 and 230
 11 were created to help our counties carry out their
 12 duties. If the roles were accurate, there would be no
 13 need for citizen challenges. I submit that a board
 14 thanking challengers for their help in carrying out this
 15 responsibility and not throwing up barriers to
 16 discourage citizen oversight, which is the effect of
 17 charging them with the costs, and as a side note, I
 18 support Dr. Richards' suggestion to bypass the challenge
 19 process by making deputy volunteers. Thank you.

20 EXECUTIVE DIRECTOR MILLS: We have Ralph O'Connor,
 21 and then Richard Schroeder.

22 RALPH O'CONNOR: Morning, my name is Ralph
 23 O'Connor. I've been an election poll clerk for election
 24 every election day at Christchurch Presbyterian in
 25 Atlanta for over four years. I request that you reject

Page 88

1 the proposed rule modifications related to the numbered
 2 list of voters for several reasons. Proposed rules do
 3 not improve the voting process, nor the systems for
 4 verifying election accuracy. The cited sections of OCGA
 5 21-2 are either for specific types of ballots, such as
 6 absentee ballots or paper ballots, or sections that have
 7 not been updated since Georgia began using poll pad
 8 check-in. Proposed rules do not provide any benefit for
 9 Georgia voting systems that outweigh the increased cost
 10 to the taxpayer who will fund additional poll workers
 11 who will be necessary to implement the proposed rules.
 12 Also, the proposed rules, as been mentioned earlier,
 13 will result in longer wait times for voters. Georgia
 14 does use paper numbered lists of voters in specific
 15 situations when voters cannot be checked in on poll
 16 pads, such as provisional ballots. Fulton County uses
 17 an elect uses an electronic numbered list of voters from
 18 Garvis during their Board of Registration Elections
 19 pre-certification review of election results, so a list
 20 can be generated, but it's electronic, which means it
 21 can be sorted, can easily be searched, which you can't
 22 do with a paper list. One of the sections of the code
 23 21-2-497 says there should be numbered list of voters.
 24 Where I work, we currently have six precincts voting
 25 there. Does that mean we have to have six separate

Page 89

1 lists if we take the code? If a poll -- if a voter's
 2 name is to be written as recorded in the electors list,
 3 does this mean the clerk who's doing this has to have
 4 another poll pad --

5 MR. WHITE: Your time has expired.

6 RALPH O'CONNOR: -- to verify that they know --
 7 Thank you.

8 EXECUTIVE DIRECTOR MILLS: All right. Mr.
 9 Schroeder.

10 RICHARD SCHROEDER: Richard Schroeder, Hall County.
 11 Thank you for the opportunity to speak on these. I was
 12 a poll worker in Hall County for over three years. I
 13 was forced because I couldn't follow my oath I take in
 14 the morning. It was the lead tabulator. I couldn't
 15 count the ballots in the precinct. I was encouraged by
 16 the board, but our Hall County wouldn't allow it, so I'm
 17 still waiting to do a legal election on the people that
 18 are talking about costs. My God, add up the cost of
 19 these electronic voting devices that are skewed with
 20 problems. I want to go to the poll pad. It says in the
 21 book here it says electronic poll book is that the poll
 22 pad, same thing, because it says electronic poll book
 23 device contains a list registered voters. I'm old, I
 24 used to go in and I saw my name on a list, I was a
 25 registered voter, and I could sign it just like I sign

Page 90 1 every time, it looks the same. Poll worker, remember, 2 three years, I've never seen somebody sign on that 3 plastic poll pad and it looked like their signature. 4 That's not the right way to do it. And I'm talking 5 about these rules, right underneath it. It says 6 election management system. Did we not see the election 7 management system two months ago be flopped around on a 8 10 foot screen in a matter of seconds, that's the 9 election management system. Why are we still? I voted 10 just two weeks ago on the same -- 11 EXECUTIVE DIRECTOR MILLS: Mr. Richard, you talking 12 about the signature signing in rule, is that what you're 13 addressing? 14 RICHARD SCHROEDER: Signing on the poll pad, you 15 can't sign on a planche and make it look like -- 16 EXECUTIVE DIRECTOR MILLS: You got to speak to the 17 rules, that's what -- 18 RICHARD SCHROEDER: That is -- 19 MR. CHAIRMAN: It's a sign in rule. 20 RICHARD SCHROEDER: Poll book, a poll pad, then 21 yes. Okay. It's very -- and these people are talking, 22 these people are talking about cost. My God, no cost 23 more than these machines -- 24 MR. WHITE: Time's up. 25 EXECUTIVE DIRECTOR MILLS: Thank you.	Page 92 1 vigilance said absolutely defining the vote is a core 2 responsibility of this board. Ms. Grubbs' rule says the 3 vote is on a ballot, not on an image of a ballot. So, 4 the urgency yesterday morning we didn't know and 5 understand the urgency of her rule. Today we understand 6 the urgency, because for reasons unknown to me, the 7 Secretary of State thinks by executive fiat, he can make 8 something happen in a congressional race in Georgia that 9 does not happen not only anywhere in the United States 10 but anywhere in the civilized world to disassociate the 11 voter and the ballot from the tabulation process, and 12 that begs decency, actually, right, that should fry all 13 of our brains. You sat through a presentation by Dr. 14 Appel [ph] that explained exactly how dangerous that 15 idea is. So, I urge you, take those rules on with 16 urgency today, and give CD13 voters an honest election. 17 Thank you. 18 EXECUTIVE DIRECTOR MILLS: Thank you, Ms. Jean. If 19 you would just step up and state your name, and I'll 20 find the name on the list. 21 MAX CLAVIGO: Good morning, I'm Max Clavigo from 22 right here in Forsyth County. Okay. As for the 23 numbered list of voters here in Forsyth County, we have 24 a fabulous election staff at our VRE, and we have about 25 approximately 80,000 registered voters, which is not the
Page 91 1 RALPH O'CONNER: -- 2020 really flipped it over. 2 EXECUTIVE DIRECTOR MILLS: Your time is up. 3 RALPH O'CONNER: I want to vote on paper and 4 comment in the precinct. Thank you very much. 5 EXECUTIVE DIRECTOR MILLS: All right. Mr. 6 Chairman. I only have one page. Sean, is there another 7 page? Okay. If you -- if you're signed up to speak for 8 a rule change, if you -- if you would come to this right 9 side wall and line up, and we'll work through you. So, 10 Ms. Jeanne Dufont [sic] -- Defort, I'm sorry. 11 JEANNE DUFORT: Thank you very much. I'm Jeanne 12 Defort, and I am speaking in favor of the rules proposed 13 by Salleigh Grubbs. I recently had the privilege of 14 poll watching in four counties, including three that are 15 in CD13 special election. And you know the whole 16 process you've watched over and over and over again was 17 when a voter walked up to a scanner, put their ballot 18 in, and were cautioned, wait, wait, listen for the 19 click. Congratulations, your votes been counted. And 20 they walked away happy. Yesterday -- yesterday, the 21 counties of CD13, were advised by the Secretary of 22 State's office that we're not going to count the CD13 23 votes from actual ballots. We're going to count them 24 from images of ballots. The rule Salleigh Grubbs is 25 proposing, under definition of the vote, which eternal	Page 93 1 largest. We're probably about the 11th, so there are 10 2 larger than us, and 148 smaller than us. And guess 3 what, we get a numbered list of voters before voter 4 certification. Our election workers produce the paper 5 certificates, along with the electronic list from the 6 poll pads, and we're presented with a numbered list of 7 voters prior to election certification. That's not 8 unreasonable to expect that from all other counties. As 9 far as the charging for challenges, the reason that that 10 rule is being proposed is because charges are exorbitant 11 and inflated, and if it really costs that much to have 12 an election staff, I don't think we'd have any election 13 stuff that the actual cost for those that labor is that 14 much, and then Member Grubbs' proposal, we're talking 15 about following the law, the letter of the law, so all 16 of these things are common sense and asking everyone to 17 follow the law. One thing that I wonder, and maybe you 18 wonder too, why is it that one certain side of the 19 political aisle has knee-jerk opposition to any effort 20 for election integrity or for accurate voter roll 21 maintenance? If we had accurate voter roll rate 22 maintenance, as was demonstrated this morning, we would 23 have to have voter challenges, so it's all common sense, 24 and I urge you to support these. 25 MR. CHAIRMAN: Max, would you spell your last name

Page 94 1 for us, please? 2 MAX CLAVIJO: C-L-A-V-I-J-O. 3 MR. CHAIRMAN: Thank you. 4 EXECUTIVE DIRECTOR MILLS: Next, if you would just 5 clearly state your name. 6 RACHEL GLOVER: Rachel Glover, Associate Director 7 of the Voter Access Project with ACLU of Georgia. Thank 8 you. I am here to oppose Proposed Rule 183-1-12-.02. 9 This proposal ultimately requires poll workers to hand 10 record each voter's name on a numbered voter list during 11 the check-in process, there is no clear requirement for 12 this handwritten process in Georgia's election code. 13 And the proposal provides little explanation of what 14 problem is intended to solve and or how it would improve 15 election administration. What is clear is that the rule 16 would create additional work for poll workers and could 17 slow down the voting process. Poll workers are already 18 responsible for managing voter check-in, assisting 19 voters, and ensuring elections run smoothly. Adding a 20 manual recording creates a requirement at every precinct 21 risks, creating longer lines, longer wait times, and 22 additional administrative burdens. In some counties, it 23 may even require hiring and training additional poll 24 workers. The proposal also raises serious questions 25 about accessing security. How will counties ensure	Page 96 1 force taxpayers to cover the cost of voter challenges. 2 Over the past five years, more than 100,000 Georgians 3 have had their right to vote challenged, and most of 4 those challenges have come from the same handful of 5 citizens. While SB 202 is clear that the number of 6 challenges someone can bring is unlimited, it is silent 7 on who has to cover the administrative costs, and the 8 costs are substantial. When Zach Manifold was the 9 election director of Gwinnett County, he estimated that 10 it took five to 10 staff all day, every day, for a 11 couple of weeks to research a challenge they got of more 12 than 30,000 voters. In addition to the staff time, each 13 voter is also sent to first-class letters, one to give 14 notice of the challenge, a second with the board's 15 decision. It's an enormously expensive process when 16 it's on a large scale. Taxpayers should not be forced 17 to subsidize these mass challenges brought again and 18 again by the same small group of activists, particularly 19 without clear statutory directions. So, I urge you to 20 vote no. And while we're on the topic of voter 21 challenges, I also wanted to ask about the hiring of 22 Jason Fraser, one of Georgia's -- 23 EXECUTIVE DIRECTOR MILLS: That has nothing to do 24 with this, and you know that. 25 KRISTIN NEIGHBORS: I do, but bringing comments at
Page 95 1 names are recorded? How will these paper records be 2 maintained and protected? What procedures will be used 3 to verify the information is complete and accurate? The 4 rule does not provide answers to these practical 5 concerns. Most troubling are the potential privacy 6 implications. Voters enrolled in address 7 confidentiality programs, including survivors of 8 domestic violence and other vulnerable individuals, 9 could face increased risk if records reveal the specific 10 precinct where they voted. Additionally, a list showing 11 voter names and check-in order raises legitimate 12 concerns about ballot secrecy. If voting activity could 13 be connected to ballot scanning order or timing. 14 Election rules should improve efficiency, security, and 15 voter confidence. This proposal risks doing the 16 opposite by increasing administrative burdens, creating 17 privacy concerns, and slowing the voting process without 18 a clear statutory basis or demonstrated benefit. For 19 these reasons, I respectfully urge the board to reject 20 the role proposal. Thank you. 21 EXECUTIVE DIRECTOR MILLS: Thank you. Next, if you 22 would just state your name. 23 KRISTIN NEIGHBORS: Hi, Board, I'm Kristen 24 Neighbors with All Voting As Local Action, and I'm here 25 to speak in opposition to the proposed rule that would	Page 97 1 the end of the second day is designed -- 2 EXECUTIVE DIRECTOR MILLS: Ma'am, your time is up. 3 Your time is up. I'm sorry. 4 KRISTIN NEIGHBORS: I want to know if his job was 5 publicly posted -- 6 EXECUTIVE DIRECTOR MILLS: Ma'am, do we need to 7 call security? 8 KRISTIN NEIGHBORS: And will he recuse from 9 (indiscernible) cases. Thank you. 10 EXECUTIVE DIRECTOR MILLS: If you would just state 11 your name is. 12 TORI MCFARLAND: Morning, members of the board. 13 My name is Tori McFarland. I'm an organizer with ACLU 14 of Georgia, and I'm here today to speak in opposition to 15 proposed rule 183-1-6-.07. This proposed rule creates a 16 significant unfunded mandate for county election offices 17 without any demonstrated need or public demand, rather 18 than solving a documented problem, it continues a trend 19 of expanding and facilitating voter eligibility 20 challenges, while shifting resulting costs on counties 21 and local taxpayers. Under the proposed rule, counties 22 will be responsible for the costs associated with 23 elector-initiated challenges, including postage for 24 required notices to voters, document production, staff 25 review, and board hearings notice is essential to

Page 98 1 protecting due process, but it is not free. Mailing, 2 printing, staffing, and administrative coordination all 3 require resources. Yet the proposal contains no 4 estimate of these costs and identifies no funding source 5 to help counties absorb them. The burden will fall 6 disproportionately on larger counties that already 7 received the overwhelming majority of voter challenges. 8 Since the passage of SB 202 Georgia has seen over 9 300,000 voter challenges, with nearly 89,000 of these 10 filed by just six individuals. County election 11 officials have repeatedly stated that these mass filings 12 consume staff time, they strike budgets, and they 13 overwhelm election offices, even when many challenges 14 ultimately lack merit. The proposal also raises 15 concerns about the proper scope of rulemaking authority. 16 Georgia law treats registrar-initiated and 17 electoral-initiated challenges differently. Where the 18 general assembly has not assigned these costs to the 19 counties. The board should not do so through 20 administrative rulemaking. Likewise, the hard copy 21 requirements are unnecessarily prescriptive and reduce 22 the flexibility counties need separation effectively. 23 For these reasons, I respectfully ask the board to 24 dismiss, reject this rule, and instead engage county 25 election offices and other stakeholders in a broader	Page 100 1 add a charge to eliminate the problem of the luminous 2 requests coming from a few individuals. Thank you. 3 EXECUTIVE DIRECTOR MILLS: Thank you. Next, if you 4 would just state your name clearly. 5 CINDY BATTLES: Good morning -- afternoon, Board. 6 My name is Cindy Battles. I'm the policy director for 7 the People's Agenda. I am here to speak against rule 8 number 183-1-6.07. Since mass challenges and SB 202 9 kind of made it to where that those could be unlimited, 10 we know that counties have spent a large amount of time 11 and money on these voter challenges. Some of these 12 voter challenges have often come from third parties, and 13 we've seen situations, particularly here in Forsyth 14 County, where the same challenge has been submitted more 15 than once. 16 As a matter of fact, at one point there was a 17 meeting where two people had submitted the same exact 18 challenges, and another meeting the hard copy had an 19 asterisk that said already and submitted again. This is 20 creating a huge burden for counties to say that they 21 can't charge for this is going to put astronomical 22 impacts on the infrastructure of elections. When y'all 23 were having the meeting about the memory cards, and 24 Member King was really concerned, rightfully so, about 25 the unfunded mandates and the impact on counties, in
Page 99 1 discussion about how to protect voter rights without 2 implementing additional unfunded burdens -- 3 EXECUTIVE DIRECTOR MILLS: Your time has expired. 4 TORI McFARLAND: -- on local authorities already 5 burdened. 6 EXECUTIVE DIRECTOR MILLS: Thank you. 7 MARGARET WESTIN: My name is Margaret Westin. I am 8 a voter in Fulton County, and have been voting for 55 9 years. Right now I'm because in my retired years I 10 became a volunteer with Common Cause, and I have this 11 board of elections meetings in many counties, Cobb, 12 Forsyth, Hall, Cherokee, even Gwinnett, many counties, 13 in all of those meetings they hear about voters that are 14 being challenged, and in every case there is always a 15 reference to the volume that they had to cover in the 16 previous month. 17 Now, because I've had many years of employment in 18 the business -- in business in general, I can tell you 19 there is cost to examining any one of those challenges. 20 Great costs. I am speaking against your prohibition of 21 charges for voter registration challenges, because it's 22 just logic. There is work involved in it. I would 23 suggest my own personal opinion, allow the counties to 24 determine what cost should be involved. 25 How many can you challenge with, and when can you	Page 101 1 particular. 2 One county called me because they thought that they 3 were going to have to divert funds and not get a new 4 ambulance. Your decision to put that off and make sure 5 that the Georgia assembly created that rule and created 6 funding for that meant you've literally saved lives. So 7 I'm asking you to take the same considerations here when 8 you're creating a rule that's going to put an cost 9 impact on counties and either table this or make sure 10 that the Georgia assembly has given counties money to 11 fund the work that they have to do for these voter 12 challenges. Thank you. 13 EXECUTIVE DIRECTOR MILLS: Thank you. 14 MARIA GODIO: Maria Godio. Regarding all six 15 rules, vote yes, yes, vote yes, yes, yes, and yes, yes, 16 yes to all six rules. The numbered list of voters as 17 Garland Favorito already pointed out is already in 18 statute. This task is much more important than the 19 person who hands out those ridiculous stickers that 20 gaslight the public that they have their vote. If you 21 think you can't afford a mere handwritten name, you can 22 give that person the job, because all they're doing is 23 handing out stickers. 24 The citizen sleuths who are helping us clean the 25 voter rolls. Our voter rolls are disgustingly

Page 102 1 inaccurate in this state. The counties are doing a 2 woeful neglect of claiming their voter rolls. There are 3 many more talented people who are very skilled at doing 4 this and assisting the counties. Their time is for 5 free, so why should they be paying a fee to get the 6 information to help the counties makes no sense. That's 7 all. Thank you. 8 EXECUTIVE DIRECTOR MILLS: Thank you. 9 JULIE ADAMS: Julia Adams, Fulton County Board of 10 Registrations and Elections. I'm here in favor of all 11 the rules, but a couple I want to talk about 12 specifically the charges for voter roll challenges. I 13 think we all know that it's common sense. If we cleaned 14 up the voter rolls, there would be no challenges, and 15 from the presentation we heard before. And I am very 16 familiar with Elly, we could clean up our voter rolls in 17 Georgia in a few weeks to the maximum of a couple of 18 months, and we could use that for people registering and 19 to make sure they stayed clean. 20 Going after that would be a lot less work, one. 21 Which to the numbered list of voters, is it's been 22 stated many times, it's already in Georgia law that we 23 have a hand written list of a numbered list of voters, 24 but I will tell you it really helps in certification. 25 I'll give you an example for Fulton, I get to see the	Page 104 1 person fixed spreadsheet. Oh, we got a manuscript. I 2 did this for your convenience. 3 In another county, the individual was told they 4 couldn't accept them separately. They had to have a 5 printed version for each member of the board, and each 6 staff memeber so they had to make 8,000 copies of what 7 could have been turned in on a spreadsheet. Regarding 8 the rules further, I was going to make a lot of comments 9 about the amount of work, the amount of cost, the amount 10 of time that it was taken to do all this, and every one 11 of these other speakers kindly supported my reason for 12 saying if they used Elly, none of that would be 13 necessary. All of that would be saved, all of that 14 time, all of that money, all of that fuss, all of those 15 errors would not happen. Thank you very much for 16 supporting me. 17 EXECUTIVE DIRECTOR MILLS: Time -- time is up. 18 This is the last speaker. It seems like the wall keeps 19 growing over there. 20 MR. JORDAN: Richard Jordan. Point of information 21 with regarding the rules is the session on open comments 22 for -- 23 EXECUTIVE DIRECTOR MILLS: Just for the rules. 24 MR. JORDAN: I know, but is this superceding the 25 open -- the open comments, is that tomorrow -- scheduled
Page 103 1 Garvis report and the voter history report locked in a 2 laptop, and it's -- it's, you can't sort it or anything 3 like that, but they have sorted it by vote method and 4 things like that, but it's still stuck in there. And 5 that, so no sorting, but the other problem is, in the 6 state of Georgia, we still allow ballots to come in 7 after election day. 8 The UACA and overseas ballots, we're still working 9 on provisional ballots, and so whatever I look at, I 10 cannot see the numbered list of voters, the actual 11 people that came in to vote, because we don't have that 12 yet. And -- and we don't have credit for those people 13 that are provisional, and so I think having the written 14 list would really help. Thank you. 15 EXECUTIVE DIRECTOR MILLS: Thank you. And Rick 16 Richards. 17 THE WITNESS23: Rick Richards, Columbia County. I 18 had a few things I wanted to say, but most of these 19 people said it for me. I went to the meeting in Forsyth 20 County, and the challenges were submitted in the 21 spreadsheet, whereupon we were told that the 22 spreadsheets were not allowed to it as individual pages. 23 And then the individual reservations were submitted, and 24 the staff member put them on spreadsheet for the board, 25 and was blamed for doing it, and was the spreadsheet the	Page 105 1 tomorrow? 2 EXECUTIVE DIRECTOR MILLS: Yeah, that's tomorrow. 3 MR. JORDAN: Okay. Thank you. 4 EXECUTIVE DIRECTOR MILLS: All right, Mr. Chairman. 5 MR. CHAIRMAN: Thank you, Mr. Executive Director. 6 I appreciate all those comments. I know for me 7 individually they're helpful when deciding on these 8 rules, and so I appreciate everyone's input on that and 9 your thoughtfulness on it. We're going to change the 10 lineup just a little bit, since we're getting near 11 lunch. And do consideration of possible final adoption 12 of petition submitted by Stefan Bartelski, we'll do 13 yours first regarding probation charge for voter 14 registration challenges. 15 And then we'll -- so we'll do that one first, and 16 we'll likely break from lunch. And then we'll come back 17 and do Dr. Johnson's rules, and -- after that. So, Mr. 18 Bartelski, if you would keep your comments to 10, 15 19 minutes is what we've allowed people in the past, if you 20 don't mind. 21 MR. BARTELSKI: I hope to be shorter. I have 22 prepared them, so that should help with keeping them -- 23 MR. CHAIRMAN: Of course. Tell your initial 24 comments, explain your role, and then the board will be 25 open to ask whatever questions we have pertaining to it.

Page 106 1 MR. BARTELSKI: What I'd like to thank you for your 2 time today, and also for advancing this proposed rule to 3 this stage of consideration. As I said, I have a 4 prepared speech, but want to make a small change to it. 5 I want to say that while it was prepared, I will be 6 answering virtually -- virtually every, if not all 7 opposition that was expressed during -- During 8 public comments on rules. 9 When I first introduced this rule, and as people 10 have said, that this rule is to ensure that people are 11 not being forced to pay for submitting challenges, I 12 used the analogy of being required to pay the police 13 before they would investigate a burglary at home, that 14 was a couple of months ago when I first presented it. 15 Today, I want to offer a different analogy. Why I think 16 this rule is important, one drawn from a darker chapter 17 of our nation's history. 18 This country once used poll taxes to suppress the 19 rights of certain groups of citizens. Those taxes did 20 not explicitly forbid anyone from vote from voting, but 21 they imposed a financial barrier that effectively denied 22 many people the rights. The fees and financial burdens 23 that some counties now impose or propose to impose on 24 voter registration challenges function in a similar way. 25 They do not restrict the challenger's right to vote or	Page 108 1 are not creating the problem, find the consequences of 2 the problem. There is also a constitutional dimension 3 that nobody has brought up. 4 The 14th Amendment's equal protection clause 5 requires that individuals in similar circumstances be 6 treated alike. While this clause is most often 7 discussed in the context of voting, challengers are 8 voters, and they are being treated unequally based 9 solely on the county in which they reside. Some 10 encounter some counties impose fees, others do not. 11 Some counties require multiple printed copies, others 12 accept electronic submissions. Some counties create 13 financial barriers, others do not. 14 This inconsistency -- inconsistency creates unequal 15 access to a statutory process that is supposed to be 16 uniform across the state, uniform across the state. 17 Uniformity of elect election processes is one of the 18 core responsibilities in law of the state election board 19 ensuring consistency across counties is squarely within 20 this board's authority, and adopting this rule is fully 21 aligned with that mandate. 22 Finally, nowhere in the relevant Georgia statutes, 23 including 21-229 and 230 is there any authorization for 24 counties to charge fees for processing voter 25 registration challenges? The General Assembly could
Page 107 1 to submit a challenge, but they do undermine the 2 challenge of civil rights by making it financially 3 prohibitive to report suspected ineligible 4 registrations, and when ineligible registrations remain 5 on the rolls, they create opportunities for bad actors 6 to introduce fraudulent ballots into our elections that 7 harms every lawful voter in this state. 8 I do not believe that cost recovery is the true 9 motivation behind these fees, although that is what all 10 those in opposition pretty much have come up and said. 11 The far more plausible explanation is that these charges 12 are deter people from submitting challenges at all. You 13 have heard the argument that the volume of challenges 14 creates an undue burden on county election offices, but 15 as stated in the written justification for this rule, 16 and as stated by some of the people in support of this 17 rule, if election boards were consistently fulfilling 18 their statutory list maintenance duties, the number of 19 challenges would be dramatically lower. 20 The work would be easier, faster, and less 21 expensive, and of course, having a tool to help with 22 that will make it even easier. Georgia law, 23 specifically OCGA 21-220, 221 and 234 places the 24 responsibility for maintaining accurate voter rolls 25 squarely on the boards. Citizens who submit challenges	Page 109 1 have included such authority. It did not. These costs 2 should be treated as part of the normal operations of 3 election administration, just like every other statutory 4 duty. Counties routinely absorb costs of list 5 maintenance, ballot preparation, poll worker training, 6 and other management processing challenges is no 7 different. 8 On behalf of myself and many other election 9 integrity advocates across the. State citizens who 10 volunteer their time, their expertise, and often their 11 own resources to help ensure accurate voter rolls, I 12 respectfully request that you approve this proposal. 13 Thank you for your attention, for your commitment to the 14 integrity of Georgia elections. 15 MR. CHAIRMAN: Thank you, sir. Are there questions 16 from the board? 17 MEMBER KING: Quick question for the counties that 18 are present. I don't know if Ms. Dover would like to 19 answer. What -- what is the cost when someone 20 challenges, how much does it cost Cherokee? 21 MS. DOVER: We have not had any mass challenges. 22 MEMBER KING: Okay. Mr. Hancock, have you had mass 23 challenges? 24 MR. HANCOCK: Not recently. 25 MEMBER KING: Okay. And Fulton County, has Fulton

Page 110

1 County had mass challenges?

2 UNIDENTIFIED SPEAKER: We had it a long time, I

3 think it's because of our policy.

4 MEMBER KING: Okay. So --

5 JENNIFER MOSBACHER: And Cobb County --

6 MEMBER KING: Cobb County.

7 JENNIFER MOSBACHER: -- absentee ballot for Cobb

8 County --

9 MR. CHAIRMAN: For the record, if you'd come

10 forward and state your name, so our person over here can

11 get that in the record?

12 JENNIFER MOSBACHER: I actually developed our cost

13 worksheet that we do use --

14 MR. CHAIRMAN: State your name, please.

15 JENNIFER MOSBACHER: Sorry, my name is Jennifer

16 Mosbacher. I'm the chair of the Cobb County Board of

17 Elections. I'm also one of the authors in collaboration

18 with our council on our policies. I believe we are the

19 only one in the state who does have this provision in

20 our policies. Happy to address questions about it, as I

21 feel like you all haven't really seen what this policy

22 does. It's not actually charging challengers, it is a

23 method.

24 The cost worksheet looks solely at administrative

25 cost, no -- no labor, and it's about \$1.88. I can share

Page 111

1 that worksheet with you, but it's about \$1.88.

2 MEMBER KING: \$1.88 per challenge?

3 JENNIFER MOSBACHER: Per voter that we have to

4 notice.

5 MEMBER KING: So that's per challenge. Per voter,

6 as challenged?

7 JENNIFER MOSBACHER: Per voter that proceeds to the

8 hearing that requires statutory notice.

9 MEMBER KING: Okay. So basically, what you're

10 saying is that if I present 100 voters and 50 -- 50 of

11 them do have to be notified, then that I'm charged \$1.88

12 times 50?

13 JENNIFER MOSBACHER: Yes, ma'am.

14 MEMBER KING: And you said, who pays this, the

15 person that's challenging?

16 JENNIFER MOSBACHER: So, if you had had the

17 opportunity to read my policies or our board policies,

18 you would see exactly it's -- it's laid out pretty

19 clearly in there. I would encourage you all to look

20 at how that -- that lays out. But essentially when a

21 challenger submits a challenge per 229 or 230, they're

22 required to go through their -- the burden of proof is

23 on the challenger. So they have to submit materials to

24 us.

25 We have to review those materials and determine if

Page 112

1 those proceed to a hearing, that is all laid out in our

2 policy. What actually allows those to move forward, and

3 if they move forward, then there would be a cost

4 assigned to the amount of voters that are being noticed,

5 so it's only -- it's not a cost associated with the

6 actual defy, there's no cost to file a challenge. I

7 want to be clear, there's no cost to file a challenge.

8 MEMBER KING: So, basically, what you're saying is

9 that if a citizen comes and does the job of the county

10 by identifying individuals that need to be challenged,

11 and if you determine that they were correct, that you're

12 charging the citizen?

13 JENNIFER MOSBACHER: Well, you would see from the

14 actual -- I mean, Ms. Grubbs actually showed a demo of

15 the fact that there are people who say that there are

16 challenges that are legitimate, but you are maintained

17 well by our county. So it's not -- it's not doing the

18 job of the county. We do -- we follow 21-2-28 and if we

19 have, you know, if, and we follow the code to do voter

20 list maintenance regularly. We're not asking citizens

21 to do that work for us. Therefore, we don't need to

22 incur an extra cost to do that.

23 MEMBER KING: So, basically, but if they do do it

24 and they find something that was not found by the

25 county, then there is a cost, and the cost is going to

Page 113

1 have to be paid -- that the citizen will have to pay for

2 it, correct?

3 JENNIFER MOSBACHER: It's not saying that there's

4 not something that's found by the county. It's saying

5 that if that actual challenge proceeds to a hearing --

6 MEMBER KING: Correct. So you're basically saying

7 that if a citizen comes and challenges the county by

8 saying that there's a citizen on your role that should

9 not be on the roll, and then you review it, and the

10 county determines that there should be a hearing,

11 there's now a cost associated, and that cost now is

12 passed off to the person who found it, correct?

13 JENNIFER MOSBACHER: In 21-2-28, if you've read

14 that code section --

15 MEMBER KING: No, I --

16 JENNIFER MOSBACHER: -- but I want --

17 MEMBER KING: -- Okay. You've done this three

18 times. Can you answer my question directly? You've

19 done this three times, I've asked the question, and you

20 gave me a roundabout response. I like clear and direct

21 responses. If you could just give me my answer

22 correctly, if accurately and directly. Do -- are you

23 saying -- because I'm trying to make sure I understand

24 what you're saying. I'm not -- I don't have time to go

25 back and read everything that you presented right this

Page 114

1 second --

2 JENNIFER MOSBACHER: If you don't have time to read

3 the policy -

4 MEMBER KING: Excuse me, I -- Excuse me --

5 (Indiscernible conversation due to cross talk.)

6 MEMBER KING: You cut me off. If you -- let me

7 complete my sentence, then your response right now would

8 have been unnecessary. I said, I don't have the time to

9 read it right this second. I said this second, that's

10 why I'm asking you questions. If that's okay. Can I

11 just ask some questions?

12 JENNIFER MOSBACHER: Feel free.

13 MEMBER KING: And as a matter of fact, I'm the one

14 that encouraged the counties to come up, because I want

15 to ask questions.

16 JENNIFER MOSBACHER: Understood.

17 MEMBER KING: Okay. So as I stated, I want to make

18 sure I'm clear. If an individual from the community

19 comes to your county and says that there are people in

20 your voter rolls that I have questions about. And if

21 you do the research and realize that there are people

22 that you should be questioning, so now you send it, you

23 encourage it to go further. There is now a cost that's

24 associated to that person that you are now researching,

25 correct?

Page 115

1 JENNIFER MOSBACHER: I do not believe that's an

2 accurate characterization of how the process for a voter

3 challenge works.

4 MEMBER KING: When do you -- when do you -- when do

5 you provide costs? When do you start tacking on costs?

6 JENNIFER MOSBACHER: The cost is associated with

7 the actual notice that has to be served to a voter who

8 is challenged.

9 MEMBER KING: Correct.

10 JENNIFER MOSBACHER: It doesn't determine whether

11 or not -- it has nothing to do actually with whether or

12 not the information that's being presented to us is

13 accurate. It's if that challenged voter proceeds to

14 hearing, then they have to receive legally required

15 notice, and that notice is the same thing that --

16 MEMBER KING: Well, I haven't got an answer to my

17 question --

18 MEMBER GRUBBS: Who pays for it?

19 MEMBER KING: Excuse me, I don't -- I don't want

20 you to ask my question a different way. I -- she knows

21 what I'm asking. She's fully aware of what I'm asking.

22 My -- my question is very clear. You said if an

23 individual brings a challenge to the county and the

24 county determines that this into these individuals

25 should be notified. Now you -- you associate a cost to

Page 116

1 that individual, the \$1.88 per person, right?

2 JENNIFER MOSBACHER: It is a cost of notice.

3 MEMBER KING: Okay.

4 JENNIFER MOSBACHER: Yes, ma'am.

5 MEMBER KING: Now, Who pays for that -- who gets

6 invoiced? Who do you send that cost to?

7 JENNIFER MOSBACHER: The cost of service is to the

8 challenger.

9 MEMBER KING: To the challenger. Thank you. So,

10 the individual does have to pay, even if they provide

11 you with information that's -- that's associated with

12 the roles that you said you maintain that could be

13 inaccurate. We're still now cause -- telling -- we're

14 telling the citizen, thank you for your work. Thank you

15 for bringing this to our attention. As a result of you

16 bringing it to our attention, there is a notice that's

17 going to go out to the voter that you provided for us.

18 However, along with that notice, is the invoice going to

19 be sent to you for having to do the work of the county.

20 That's basically what you're saying.

21 JENNIFER MOSBACHER: No, that's not what we're

22 saying at all. In fact, in OCGA 21-2-28, which is the

23 section that deals with qualification challenges that

24 are handled by the actual county themselves. It

25 specifically states that the registrar in that

Page 117

1 particular code in that site, the registrar shall

2 provide notice of hearing, and if that notice requires

3 meant that those people will be compensated.

4 So there is fee associated with the notice, even

5 within 21-2-28 that says that the initiated challenge by

6 the registrar, that cost is borne by the registrar. So,

7 if the -- so the logic is that in -- legally, and if you

8 -- I -- you all received a memo from our attorney,

9 actually on this matter, that it would be -- he says

10 right in here, given that registrars are expressly

11 responsible for service costs for challenges they

12 initiate -- I'm going to read that again -- given that

13 registrar's are expressly responsible for service costs

14 for challenges they initiate, it stands to reason that

15 the cost of service for challenges initiated by

16 individuals should be borne by those individuals.

17 That is directly from the attorney memo that you

18 all were given, and that is born right from 21-2-28

19 where it explicitly says that that cost is born by the

20 registrar.

21 MEMBER KING: The code doesn't say that the

22 citizens got to pay. It says the registrar, because

23 that means it's taxpayers. Yes, I'm okay with the

24 county using taxpayer money to ensure that the voter

25 rolls are clean.

Page 118

1 JENNIFER MOSBACHER: Right.

2 MEMBER KING: I'm okay with that. That's exactly

3 what counties should be doing with my dollars. However,

4 what I'm not okay with is you telling me that if a

5 citizen has to step in and assist the counties because

6 there's something that's off, that if we find out that

7 that citizen was correct, that now we are charging the

8 citizen. The fact of the matter is, the citizen should

9 have never had to step in.

10 It should be the counties that are responsible,

11 because that's why you have our tax dollars, so you can

12 utilize these funds to do this job. So, I'm okay with

13 the registrar using tax dollars. I'm totally fine with

14 that, but what I'm not okay with is you charging

15 individuals because they are now having to step in and

16 try to assist with cleaning up our rolls. That's where

17 I stand on it.

18 MR. CHAIRMAN: I have a question.

19 DR. RICHARDS: Yes, sir.

20 MR. CHAIRMAN: Did you determine the administrative

21 costs of having to say somebody comes and issues 1000

22 challenges?

23 JENNIFER MOSBACHER: Yes.

24 MR. CHAIRMAN: Did you determine administrative

25 costs of having to go through those and figure out which

Page 119

1 ones are valid, which ones are not, which ones proceed

2 to hearing, which was done?

3 JENNIFER MOSBACHER: Did I determine the

4 administrative costs associated with that?

5 MR. CHAIRMAN: Yeah.

6 JENNIFER MOSBACHER: I have done some calculations

7 in terms of looking at what the time involved in those

8 kinds of things are, but that's not the cost that's

9 associated with the challenge policy. Because service

10 notice is actually the just the actual piece --

11 MR. CHAIRMAN: You're doing one small piece of it.

12 JENNIFER MOSBACHER: We are just really dealing

13 with the one small piece of it within that policy. Yes,

14 sir.

15 MR. CHAIRMAN: Yeah, I don't disagree with Member

16 King on that issue. Well, I just -- it's just -- but I

17 guess it -- and I'll talk to Mr. Bartelski about that

18 when -- Any more questions?

19 MEMBER GRUBBS: Yes. So, Mr. Mosbacher, that y'all

20 developed this policy because y'all didn't like having

21 voter challenges come before the board, correct?

22 JENNIFER MOSBACHER: No, ma'am, we've developed a

23 policy to help actually make a more clear process for

24 both the challengers for the office and for voters. A

25 very class that delineated exactly the steps that people

Page 120

1 needed to follow to submit a challenge, so that there

2 was not confusion in how to go about doing so.

3 MEMBER GRUBBS: And to recover some money.

4

5 JENNIFER MOSBACHER: Nope, it was not about

6 actually -- We developed policy to create a transparent

7 process for voters and for challengers and for our

8 office to be able to administer. Those -- the charge

9 provision that's in this policy is a cost recovery

10 method for a very small piece of serving notice that's

11 all the pieces is to serve notice to the voters that

12 proceed to hearing.

13 MEMBER GRUBBS: Okay. So how much in your cost

14 recovery method, have y'all recovered for costs since

15 you implemented the policy?

16 JENNIFER MOSBACHER: We have not had to -- we have

17 not had any challenges that have proceeded to the

18 hearing level that required notice since the

19 implementation of the policy.

20 MEMBER GRUBBS: It's really hard to give short

21 answers, isn't it? And by the way, the information that

22 you brought today, this rule has been on the agenda. So

23 you have, I believe, my email address, and you could

24 have certainly emailed the information, so we would have

25 had it in advance, the policy.

Page 121

1 JENNIFER MOSBACHER: Right. But due diligence is

2 also your responsibility. You could -- our policies are

3 publicly available on our website

4 MEMBER GRUBBS: For a vendor of 59 counties to go

5 see if they have policies on this matter --

6 JENNIFER MOSBACHER: That's due diligence.

7 MEMBER GRUBBS: Excuse me. So how much --

8 JENNIFER MOSBACHER: If I had to look through

9 hundreds --

10 MEMBER GRUBBS: Excuse me, just one moment.

11 MR. CHAIRMAN: One person at a time.

12 MEMBER GRUBBS: How much --

13 JENNIFER MOSBACHER: Salleigh and I are old

14 friends.

15 MEMBER GRUBBS: Yeah, we're buddies.

16 MR. CHAIRMAN: Well, our court reporter is having a

17 real difficult time getting all this down.

18 MEMBER GRUBBS: So how much -- how much money does

19 the Cobb County Board of Elections expend annually, or

20 even monthly, in returned mail?

21 JENNIFER MOSBACHER: Not an answer I have for you

22 today.

23 MEMBER GRUBBS: Well, that would be due diligence.

24 JENNIFER MOSBACHER: I'm certain that I could get

25 that answer for you, but it's not a question I was given

Page 122

1 time to prepare for. You all had this on your agenda
 2 for a significant amount of time, according to you.
 3 MEMBER GRUBBS: Costs are something that concern
 4 the county clearly --
 5 JENNIFER MOSBACHER: Absolutely.
 6 MEMBER GRUBBS: Because if you -- and, you know,
 7 we've heard from all of these counties, all this thing
 8 about cost, cost, cost, cost, and burden, cost and
 9 burden. And, you know, so recently in Cobb County,
 10 there were some voter registration cards that were sent
 11 out that had, like, say, for example, incorrect precinct
 12 information. There were some voter registration cards
 13 that went out that that had like, say for example,
 14 incorrect information.
 15 There are ballots that are sent to incorrect
 16 addresses, or you know, all kinds of things like that.
 17 Then there are the absentee ballot requests. I know
 18 that's been an issue where the county has not processed
 19 the absentee ballot request timely, and there has to be
 20 overnight charges incurred. Same thing with your cover
 21 ballot, so mail and getting notices out and that kind of
 22 thing can be a significant cost. Wouldn't you agree?
 23 MEMBER GRUBBS: I'm not sure what the question has
 24 to do with the specific rule in there, but cost --
 25 MEMBER GRUBBS: Because we're talking about

Page 123

1 expense, we're talking about cost, and why you would
 2 charge people to do voter challenges.
 3 JENNIFER MOSBACHER: There -- we are not charging
 4 people to do voter challenge.
 5 MEMBER GRUBBS: You can call it whatever you want,
 6 but there is a cost associated with a citizen doing a
 7 voter challenge if it proceeds to the hearing
 8 notification, as you said in your information. If it
 9 proceeds to that level, there is a cost for a citizen to
 10 perfect a better challenge, yes or no?
 11 JENNIFER MOSBACHER: There is a cost for service --
 12 MEMBER GRUBBS: Yes or no?
 13 JENNIFER MOSBACHER: -- the challenge. I'm going
 14 to answer the question in the appropriate manner, which
 15 is, there is a cost to serve notice, legally -- legally
 16 required notice to the challenged voter.
 17 MEMBER GRUBBS: But to be clear, if a citizen
 18 brings a challenge and it proceeds to the hearing level,
 19 and y'all have to do work on that voter challenge, and
 20 it -- and it proceeds in that fashion, there is a cost
 21 to the person who brought the voter challenge.
 22 JENNIFER MOSBACHER: There is a cost associated --
 23 MEMBER GRUBBS: You -- Do you ever issue invoices
 24 to people for doing voter challenges at any level?
 25 JENNIFER MOSBACHER: We have not to date.

Page 124

1 MEMBER GRUBBS: Would that be part of your process?
 2 JENNIFER MOSBACHER: In our policy, if somebody
 3 proceeds to a hearing --
 4 MEMBER GRUBBS: Okay. Just -- just forget it.
 5 Let's just make the point -- let's just make the point
 6 that there are significant costs in counties when you
 7 send mail to the incorrect address, or if you make a
 8 printing error, or you send cards to people with
 9 inaccurate precinct notifications, or when you make
 10 last-minute precinct changes, there's lots of cost that
 11 the county has to bear. Yet in this instance you choose
 12 to pass on cost to people who bring voter challenges.
 13 That's the point I'd like to make.
 14 MR. CHAIRMAN: Okay. Let's move -- let's move back
 15 to the petitioner. Mr. Bartelski. Thank you.
 16 MEMBER GHAZAL: Mr. Chairman?
 17 MR. CHAIRMAN: Yes.
 18 MEMBER GHAZAL: I actually have a question for our
 19 staff, which is, have we received any public comment
 20 during, because we've gone for the notice and comment
 21 period, did any public comment come in on this?
 22 MEMBER MILLS: In the digital binder, and in your
 23 notebook, the public comments are there.
 24 MEMBER GHAZAL: Thank you.
 25 MR. CHAIRMAN: I have to tell you, my concern about

Page 125

1 this rule has been all along is not that I agree that if
 2 someone submits a voter challenge and it's upheld and it
 3 goes, you know, it should not -- this person shows up in
 4 the rolls unrolled, you should not pay for that. The
 5 county should pay for that, because that's the county's
 6 mistake. There's a county's error not claiming the
 7 voter rolls. I totally agree with that.
 8 My problem is when we have some people that have
 9 issued 1000 or 2000 or 5000 or 10,000 voter challenges,
 10 you know, a huge list, which does take a lot of time for
 11 the counties to go through and determine that is
 12 taxpayer dollars and I'm concerned about people like
 13 that, you know, the issue is huge, or have these huge
 14 lists, and it really bogs down the county from doing
 15 other things and creates issues for them. So that --
 16 that's my concern with this.
 17 MR. BARTELSKI: You know, I would say it comes back
 18 to what I said, that if the boards are doing their job
 19 properly, the numbers are going to be a lot lower. Now,
 20 I myself have not submitted 1000s at one time, they're
 21 in the hundreds. I think the maximum was something 600
 22 maybe one group. And if I had to then pay for all of
 23 that, yeah, that would then -- I'm retired. I'm on a
 24 fixed income. I would have to think twice about doing
 25 that.

Page 126 1 And so, you know, and I think, what -- what -- what 2 the lady just said, wanting to recover the costs, even 3 of the service, she says, well, it's only a small part 4 of the whole total cost, or if it's only a small part, 5 absorb it, and don't see -- don't use it as a punitive 6 amount against the challenges. 7 MR. CHAIRMAN: Yeah, I guess -- I guess I don't 8 have the confidence everybody has using the same due 9 diligence that you are to go through multiple websites 10 and figure out what these people should be challenged or 11 not. I think -- I think you know, I've heard some 12 issues about these mass challenges where people didn't 13 go through and really scrub the list, and it's just 14 causing these counties a lot of time, a lot of energy, 15 and a lot of money to go through that, and I have a 16 problem with that. And those people should be held 17 financially responsible for the amount of money they've 18 caused the county, you know. 19 STEFAN BARTELSKI: I use Elly and you seen how 20 accurate that is. And most of the other people that I 21 work with, obviously -- I'm lucky. Forsyth County does 22 not use this, that I submitted this because I heard from 23 other people that I work with, and a lot of them through 24 the Elly network using that same good data that they -- 25 that their boards of election are imposing these fees,	Page 128 1 disagree with any of that. But I also always think 2 about the small counties that don't have much staff, you 3 know, they have one or two people, or three people, you 4 know. And if they get a lot of challenges, if they get 5 100 challenges, it takes a lot of time that they have to 6 respond to that, you know. And so I -- I worry about 7 the -- the challenges that hadn't been as thoughtfully 8 done as you might have done, you know, and what the 9 counties have responded that, so. 10 STEFAN BARTELSKI: I don't think there are that 11 many where -- where -- to be honest, where people have 12 indiscriminately made challenges. I think most of the 13 challenges I know, most of the people that I've spoken 14 to have done their best to sort everything out and make 15 sure that they're accurate. On the other hand, yes, for 16 the smaller counties, remember, yes, they do have to do 17 some -- take some effort to, you know, look at what's 18 come in. But all of the work has already been done for 19 them, right. Basically, if you -- if you look at the 20 information that comes out of Elly, right, here's a list 21 of people for which citizen activists, citizen 22 investigators have gone in and found the -- you know, 23 found a picture and put it in what they submit of an 24 obituary. 25 Now, if the county doesn't trust that and they want
Page 127 1 these -- these ways of deterring them from submitting on 2 them, irrespective, you know, of how good or bad the 3 data was. And we've heard a lot of things about people 4 saying, well, you know, 10,000 were submitted, and only 5 one or two or three percent were actually accepted. 6 There's a lot of issues in that, because it's not just 7 they were not all bad data. In many cases, boards of 8 election are ignoring the evidence, and therefore 9 saying, well, yeah, you know, we just don't accept it. 10 And therefore, and that's -- that's, you know, you're 11 saying, well, maybe the people that submit these large 12 volumes and the ones that don't get accepted, should be 13 paid for. But, you know, there's some -- so many boards 14 that refuse to accept a lot of this evidence, that's 15 also going to make it difficult. I think it's just -- 16 and at the end of the line, Cobb is doing one thing, 17 Gwinnett's doing another, other counties are doing 18 things. One of the key things in my argument is that 19 your remit is to ensure uniformity across the state. 20 And charging different fees, different ways of doing it 21 is not uniformity, and it makes it complicated for 22 election -- election integrity activists to know they've 23 got to go and find out what that county wants to do, and 24 then work out whether or not they can afford it. 25 MR. CHAIRMAN: Yeah, and I don't -- I don't	Page 129 1 to go and look up the obituary, yes, that's more work, 2 but actually all the work's been done for them. The 3 only thing they have to do is say, okay, here's the 4 voter registration number, let's say, in -- in the 5 spreadsheet that we normally submit. Here's the voter 6 registration number. Is that voter registration number, 7 does that correspond with the data in there? I mean, 8 that's that's 10 seconds for each line. Yes, that one's 9 okay. That one's okay. That one's okay. The evidence 10 is right there. 11 The obituary, the voter registration in another 12 state, the number, their address in the other state, the 13 homestead exemption in another state, all that 14 information is provided to them. That's not that much 15 more work. Okay. There are some service costs. It 16 depends on the type of challenge. 230s do not require 17 any service costs in the law. It's only a 229 when 18 someone's going to be removed that requires service 19 costs. 20 In other words, requires a letter to be sent. Many 21 -- many boards of election also on 230s will send a 22 notification, a courtesy notification saying, hey, 23 somebody has claimed that there's something wrong with 24 your voter registration, and it's going to be handled at 25 this meeting, but that's -- that's a choice that the

Page 130

1 county makes to do it, is not required by law for a 230.
 2 230 is a challenge and at the next election. So there
 3 are no cost -- no extra costs to them there.
 4 The only extra cost is perhaps the labor to
 5 actually look at the list and say, okay, yes, this
 6 person is still active. This person -- I've had that,
 7 sir, when I submit challenges, they'll come back at the
 8 beginning of the meeting and they'll say, you know,
 9 these five out of -- out of 150 challenges, these five
 10 are actually flagged as inactive now. So, basically,
 11 we're not going to handle them --
 12 MR. CHAIRMAN: That's fine.
 13 STEFAN BARTELSKI: -- they're inactive already
 14 flagged. Because there is sometimes a gap between the
 15 data that we get. We don't get real-time data from
 16 Garvis day to day, we get it on a regular interval every
 17 one or two months. So we can lag a bit behind, but when
 18 they come back and say, yeah, we've checked, and these
 19 are the inactive ones, fine. So, yes, there is
 20 some labor involved with that check, but other than
 21 that, no costs.
 22 MR. CHAIRMAN: Well, there's a lot of labor if it's
 23 a massive challenge.
 24 MEMBER KING: It's their job.
 25 MR. CHAIRMAN: Well, I agree.

Page 131

1 STEFAN BARTELSKI: And the mass, you know, the
 2 10,000 15,000 challenges wouldn't be necessary if the
 3 boards were doing their job. If the Secretary of State
 4 office was doing its job, and if Eric was doing its job,
 5 that would not be necessary. And now, if you get these
 6 larger volume ones, if the boards of election sign up
 7 with Dr. Rick Richards, Elly, then they can go in and
 8 they can pull up all that information very quickly,
 9 probably even quicker than getting it out of Garvis,
 10 because Garvis just gives you the voter registration
 11 information. Elly gives you that, plus all the other
 12 ones, the tax records, the, you know, the NCOA, PCOA, so
 13 the change of address, etcetera. That's all in one
 14 place, and that makes even the larger volumes a lot
 15 easier and quicker to do.
 16 MR. CHAIRMAN: Any other questions?
 17 MEMBER GHAZAL: I just have a general question.
 18 One of the speakers this morning --
 19 MR. CHAIRMAN: Turn on your microphone, please.
 20 MEMBER GHAZAL: And I don't know that you can
 21 answer this necessarily, but perhaps some of the county
 22 officials can. There was -- there was a speaker who
 23 suggested that the percentage of challenges that
 24 ultimately were upheld was exceedingly low, because most
 25 of the most challenged voters were already in the

Page 132

1 process of being moved to inactive status per the
 2 requirements of federal and state law.
 3 Does anybody have an estimate of the number of the
 4 percentage of challenges that ultimately are upheld and
 5 voters removed through the challenge process. I'm
 6 looking for a county official who actually conducts --
 7 who actually pursues these. Does Cobb County do --
 8 Chair Mosbacher, do you have any percent -- any data on
 9 that?
 10 JENNIFER MOSBACHER: We have held zero. So 100
 11 percent of them are less.
 12 MEMBER GHAZAL: In Fulton County, how many
 13 challenges ultimately lead to under 229 or 230?
 14 MS. DOVER: We -- we have not had a challenge. We
 15 have one challenge reheard since I joined the board.
 16 But the -- I think it's the new policy that's teaching
 17 people from doing new challenges, because we have
 18 regularly before that.
 19 MEMBER GHAZAL: Remember Hancock, I know that we're
 20 not coming -- You haven't recently, but I know you've
 21 seen some mass challenges. I know that there were --
 22 there were 10s of 1000s. How many of those actually
 23 proceeded to removal?
 24 MR. HANCOCK: Those were before my time. The ones
 25 that we've seen have been at most maybe 15 or 20. And I

Page 133

1 don't -- it seems like maybe half of them were put to
 2 the next, but I'm not -- It's been years. We haven't
 3 seen anything over a year.
 4 MEMBER GHAZAL: Do we have anybody officially from
 5 Forsyth County?
 6 UNKNOWN SPEAKER: I don't know how many were valid.
 7 I didn't track that.
 8 STEFAN BARTELSKI: I can give you some numbers on
 9 my rough own experience, because I didn't prepare
 10 numbers. But I think over the last two to three years I
 11 have probably submitted somewhere between 2,000 and
 12 3,000 challenges in various groups. I would say that at
 13 least 300 of those have actually been upheld. That
 14 means they were either put into a removal process,
 15 according to NVRA and Georgia statutes. Or, they were
 16 flagged for as challenged, which means when the voter
 17 comes to the polls, they are asked to prove that their
 18 voter registration data is correct. And if they can't,
 19 then you know, then obviously the challenge moves to a -
 20 - to a removal process, but that's -- that's done by the
 21 county.
 22 However, you say that's, you know, roughly 10
 23 percent --
 24 MR. CHAIRMAN: 10 percent.
 25 STEFAN BARTELSKI: I have to say that, and I've

Page 134 1 mentioned this before, our board does not accept certain 2 information as evidence, and that is something that is 3 being disputed at the moment. I can't talk a lot about 4 it, because it is actually in the courts right now, 5 having had this particular type of evidence refused a 6 number of times. I finally took what is in 230 and 229, 7 the ability to appeal the decision, and it is being 8 appealed to get clarity in this particular decision of 9 the board. 10 If that had been taken into account, that two to 11 3,000 would be much closer to, let's say, 1500 to 2,000 12 that would have been accepted. 13 MEMBER GRUBBS: Mr. Bartelski, and along with Ms. 14 Adams, and some of the other officials and Mr. Hancock, 15 whether they're successful challenges or not, is 16 somewhat subjective. It's not an exact every size fits 17 all so, you know, you might submit 1,000 challenges and 18 you might have 20 percent that are successful. But if 19 that was in a maybe at a different board with a 20 different standard of what's acceptable for the 21 challenge, so that's not really representative of 22 exactly what happens with the challenges. 23 MR. CHAIRMAN: Exactly. Yes. 24 DR. RICHARDS: With permission. I have some data. 25 Member Ghazal is asking the wrong question. In Cobb	Page 136 1 challenges. And if 10 percent of people move, say in 2 Cobb County, with a voting age population of 525,000, 3 it'll be 52,500 people a year to attend to whether if 4 they -- to verify if they've moved in county, which is 5 not an issue, really. If they've moved out of county, 6 which is an issue, or if they've moved out of state, but 7 it's a lot of numbers. 8 So it's not 1,000 5,000 or 10,000. It's 52,000 in 9 Cobb County. In Cobb County is registered to vote at 10 the rate of 107 percent of the voting age population. 11 That means there are more people registered to vote in 12 Cobb County than are in the voting age population, and 13 if we're striving to moving to achieve uniformity, the 14 voting age, the voter registration percentages varies in 15 this state from 70 percent to 119 percent. That's not 16 very uniform. 17 Some counties are doing a much better job than 18 others. And if we all need to be reminded, 21-2-228 the 19 very first sentence says that the registrar shall be 20 charged with the duty of examining from time to time the 21 qualifications of each elector of the county whose name 22 is entered on the list of electors. It is their duty, 23 it's their job, it's their job to maintain the voter 24 rolls, to make sure the voter rolls are current and 25 accurate for each and every election.
Page 135 1 County, for those 1800 cases, not 2,000, 1800 cases that 2 were turned down, I reviewed every one of them myself. 3 They all moved to North Carolina. They were all 4 registered in North Carolina. They all voted in North 5 Carolina, and I watched as that person took the list and 6 said no, no, no, no through the list. I was at Forsyth 7 County when Mr. Bartelski submitted those. And the 8 county said, is your data certified? And I asked, who 9 would you like to certify this data. It came from your 10 Secretary of State. 11 Well, you have to certify. I said, who would we 12 have certified? She said, that's up to you. I asked 13 three times, who certifies the data? And then finally 14 the county attorney said, y'all will have to answer 15 that. We're adjourned. They're denied. So you can't 16 ask how many of us were following up on, because they 17 never got past the initial submission. 18 MEMBER GHAZAL: Mr. Chairman, I apologize if my 19 question got us off topic of the rule itself, because I 20 think that's what we need to be focused on. 21 MR. CHAIRMAN: Any other questions from the board? 22 Dr. Johnson. 23 DR. JOHNSTON: Yes. As far as challenges go, we 24 have to recognize that about 10 percent of people move 25 every year. And moves are oftentimes basis for	Page 137 1 So when a challenger, this -- this challenges this 2 is rather new legislation, but obviously our general 3 assembly thought there was an issue with the voter 4 rolls, or they wouldn't have written, you know, they 5 would not have made written this legislation. And so I 6 think we -- we need to pay attention to this, and the 7 issue with challenges they're working for free, they're, 8 I guess, they're all volunteers, they do 90% of the 9 work, perhaps, of finding voters that they think are no 10 longer eligible for one reason or another, and they hand 11 it to the county registrars, whose duty is to verify, 12 verify the work that was done. I dare not, wouldn't 13 want to know. 14 A registrar would not look at that information and 15 not verify it. That is not the way to maintain the 16 voter rolls. It's their duty, even if they get 17 information from the Secretary of State. It is their 18 duty to verify that information. So I do know that Mark 19 Elias, the left-wing radical lawyer, sent a letter three 20 years ago to every county in this state, threatening to 21 sue them if they performed voter list maintenance. 22 Well, that -- that shut it down pretty well. I 23 mean, that -- that shut down a lot of counties from 24 doing their regular voter list maintenance. They were 25 scared to death of being sued, and so they let the voter

Page 138 1 list just flounder and accumulate more voters, or 2 they're very reluctant, or became very reluctant to hear 3 challenges, actually. And the new charge policy threw 4 more cold water on the efforts of people to challenge 5 voters that shouldn't be on the list. 6 And finally I'd say my concern is, if you move an 7 ineligible voter to the inactive list, are they flagged, 8 or are they flagged that they're -- they're on the 9 inactive list, but they're no longer eligible, like 10 they've moved or they're -- they're out of state or 11 something, or do we let them sit on the voter rolls for 12 two elections and they're not flagged at all, so then if 13 they so choose, they could come back and just vote, and 14 no one would question whether they were eligible or not. 15 STEFAN BARTELSKI: So, in answer to that last 16 question, there are two issues there. The first one 17 there, the law does suggest a process, and that is, if 18 someone who is inactive appears at the precinct, then 19 they have to sign an affidavit that their data is 20 correct, and then they will be allowed to vote, which 21 is, I would say, reasonable. 22 I submitted after the November '24 elections an ORR 23 to the Forsyth County Board and asked for a list of all 24 the inactive voters that had signed such an affidavit 25 and been allowed to vote. And they said there were not,	Page 140 1 be borne will be borne by the counties. The -- I would 2 -- my motion is to take this rule and follow the 3 Attorney General's guidance to bring it back at the next 4 meeting for a vote. 5 MR. CHAIRMAN: Okay. We have a motion. Is there a 6 second? 7 MEMBER KING: Second. 8 MR. CHAIRMAN: We have a motion to second. Any 9 discussion? 10 MEMBER GHAZAL: Procedurally that would require 11 resubmission and a new 30-day notice and comment period. 12 MR. CHAIRMAN: It depends on the level of changes 13 made, I would think. 14 MEMBER GHAZAL: Any -- any changes whatsoever 15 requires -- 16 MEMBER GRUBBS: I think it will. 17 MR. CHAIRMAN: Yeah. Okay. We have motion to 18 second. Any further discussion? All those in favor 19 signify by saying aye. Any opposition? 20 MEMBER GHAZAL: Nay. 21 MR. CHAIRMAN: Motion carries three to one. 22 STEFAN BARTELSKI: Thank you. 23 MR. CHAIRMAN: Thank you. We're going to break for 24 lunch. Do we have motion to break for lunch? 25 MEMBER KING: Second.
Page 139 1 so there is that. So the question is, is the process 2 being followed or not, right. 3 DR. JOHNSTON: Well, thank you. So our job as a 4 board is to enforce the law -- to uphold the law. And 5 the law states -- right now, the law states that there's 6 a provision for challenges. And it's our duty to uphold 7 that law. Therefore, I'm in favor of your -- your rule 8 petition. And we did ask the attorney general for an 9 opinion about the legality of charge or no charge. 10 And the attorney general was very clear that in 11 their opinion the state election board does have the 12 authority. But, however, there was a recommendation for 13 some language cleanup in the rule petition that you 14 presented, which I would certainly be in favor of having 15 some legal counsel to make sure that the wording is 16 clear and consistent with state election board rules. 17 MR. CHAIRMAN: Okay. 18 STEFAN BARTELSKI: Any other questions? 19 MR. CHAIRMAN: Any further questions? Chairman 20 will entertain a motion. 21 DR. JOHNSTON: Mr. Chair, I move that we take this 22 rule and follow the guidance of the Attorney General 23 with the intent to adopt this rule that will prohibit 24 counties from charging challengers to submit challenges 25 for voter roll issues. And the burden -- the burden to	Page 141 1 MR. CHAIRMAN: All those in favor? We will break 2 from lunch till 1:20. 3 (Whereupon, a break was taken during the 4 proceeding.) 5 MR. CHAIRMAN: Welcome back. I'm going to call 6 this meeting back to order. We're going to make a few 7 changes to try and allow the counties to get out of here 8 quicker if possible. So, we're going to go through and 9 do the dismissal cases real quick. And my understanding 10 is that SEB2024-122, Toombs County, there's somebody 11 here to speak on that case. Anybody from Toombs County? 12 Okay. All right. We'll get with you in a minute. 13 SEB2024-193, Atkinson County. Is there somebody here to 14 speak on that one? We'll come back to that one. And 15 2025-036, Cherokee County, is someone here to speak on 16 that one? Okay. So, we're not going to vote on those. 17 As to the rest of them, though, we have the 18 following cases that have been recommended for 19 dismissal. They are SEB2022-359, Richmond County, voter 20 registration problems; SEB2022-360, City of 21 Marshallville, Macon County, special election not called 22 to fill a vacancy; SEB2023-008, Chatham County, voter 23 registered to vote in Tennessee and Georgia; 24 SEB2023-092, Upson County, City of Thomaston, 25 candidate's name left off ballot; SEB2024-107, Hancock

Page 142 1 County, absentee ballot fraud, voter intimidation; 2 SEB2024-182, Cobb County, ballot anomaly for 11th 3 Congressional District, November 2024, general election; 4 SEB2024-212, Pickens County, deceased voter fraud from 5 November 2024, general election; SEB2025-025, Newton 6 County, assistance to disabled issue; SEB2025-044, 7 Clayton County, polling place change issue; SEB2025-048, 8 Atkinson County, City of Pearson, candidate qualifying 9 issue; SEB2025-061, Athens-Clarke, unqualified voter; 10 SEB2025-085, Grady County, City of Cairo, poll worker 11 issue; SEB2025-091, Chatham County, absentee ballot 12 mailing issue; SEB2025-109, Jefferson County, City of 13 Louisville, poll watcher issue; and SEB2026-025, Chatham 14 County, double voting, Georgia and North Carolina. The 15 chair would entertain a motion on dismissal of the 16 above-named cases. Do we have motion to dismiss the 17 above-named cases, is there a second? 18 DR. JOHNSTON: Second. 19 MR. CHAIRMAN: We have a motion and a second. Any 20 discussion? 21 MEMBER GHAZAL: Mr. Chairman? 22 MR. CHAIRMAN: Yes, Member Ghazal. 23 MEMBER GHAZAL: Thank you, Mr. Chairman. I wanted 24 to highlight the fact that while the named cases appear 25 to be quite serious, the reason that we're dismissing	Page 144 1 a board and our investigators verify what is submitted 2 to us, because that's the thing you need to do. 3 MR. CHAIRMAN: Thank you, Dr. Johnson. I 4 appreciate the clarification. I do call out the entire 5 title so that when the summary is done, it references 6 the agenda for the record. So we have a motion and a 7 second to dismiss the above-named cases. All those in 8 favor signify by saying aye. Any opposition? Hearing 9 no opposition, so moved. 10 Let's -- Toombs County, Toombs County was here, 11 right? So, Toombs County, we're going to talk about 12 your case. This is SEB2024-122, and it -- if you'd come 13 forward, please. Did you want to respond, Toombs 14 County? 15 WESLEY WALKER: Mr. Chair, I don't know who want to 16 go first. I'm the complainant. 17 MR. CHAIRMAN: Let me get to it real quick here. 18 This is Tab Number 10. If you'd read it off, please, 19 Mr. Executive Director. 20 MEMBER KING: The Office of the Secretary of State 21 received the following complaint during the May 21st, 22 2024, general primary election. Number one, candidate 23 for Toombs County Sheriff Wesley Walker alleges the 24 voter intimidation was occurring in Toombs County. 25 Voters were threatened with retaliation if they voted
Page 143 1 them is that they have been investigated and found that 2 there are no violations. And that goes for the very 3 last case, the SEB2026-025. That was a referral 4 directly from the Department of Justice for a potential 5 double voter. 6 And in fact, these are just simply two individuals 7 with the exact same name in two different states. And 8 that is highlighting, once again, the importance of 9 having access to this private information that is not 10 publicly available to determine whether or not voters 11 are committing crimes, because this would be a felony if 12 it had been the case. 13 So I just wanted to uplift this particular fact 14 pattern as being really important and why proper 15 investigation and access to this information is so 16 important. 17 MR. CHAIRMAN: Thank you, Member Ghazal. 18 DR. JOHNSTON: Mr. Chair, I would agree. The 19 titles that are associated with these counties doesn't 20 really -- oftentimes does not reflect what the actual 21 complaint is. It may be that it sounds like a serious 22 complaint, but the real complaint is not what's 23 reflected in the title. And likewise, a very minor 24 appearing complaint may actually be a very serious 25 complaint. So it goes both ways. And that's why we as	Page 145 1 for a supporter for or supported his candidacy. This is 2 a potential violation of OCGA 21-2-567, intimidation of 3 electors. 4 Number two, candidate for Toombs County Sheriff 5 Wesley Walker alleges the campaign workers for Jordan 6 Knight, candidate for Toombs County Sheriff, were 7 approaching voters who were in line at vote at the Cedar 8 Crossing polling location. This is a potential 9 violation of OCGA 21-2-414, restrictions on campaign 10 activities. 11 And number three, candidate for Toombs County 12 Sheriff Wesley Walker alleges that there were equipment 13 issues at the Cedar Crossing polling location. Ballot 14 scanner was powered off or unplugged at lunchtime on 15 election day. The complaint in this case is Chief 16 Wesley Walker and the respondent is Jordan Knight. The 17 investigators found no potential violations were found. 18 MR. CHAIRMAN: The complainant in this case is 19 Chief Wesley Walker. The respondent is Jordan Knight. 20 The investigators found that two violations were found. 21 Who would like to speak first? 22 WESLEY WALKER: I'll go first. 23 MR. CHAIRMAN: If you'd identify yourself, please. 24 WESLEY WALKER: Yes, sir. My name is Wesley 25 Walker. I'm the complainant in this case. I'm the

Page 146 1 police chief in Lyons, Georgia. I've been there for 2 over 14 years now. I have about 40 years experience in 3 law enforcement. I've been in since 1987. In 2024, I 4 decided to run for sheriff. And this was actually the 5 second time I had run for public office. And just 6 during this campaign, I saw a lot of things going on 7 that concerned me about voter intimidation. 8 And what I would like to do is request that an 9 investigation be conducted -- an appropriate 10 investigation be conducted into alleged interference 11 with this primary election and to determine if there are 12 violations of Georgia election law involving prohibited 13 campaign activity in or around polling locations and 14 interference with election results. 15 The conduct that I'm going to be talking about 16 would be in violation of code section 21-2414 and 17 21-2566 mainly. On that day, I observed and I had 18 others observe this as well that came and told me about 19 it, that individuals engaged in campaign-related 20 activities within restricted distances of polling 21 places, including solicitation of votes, distribution or 22 display of campaign materials, and/or direct interaction 23 with voters while ballots were being cast. 24 Campaign workers and/or affiliated individuals 25 allegedly established unauthorized tables, booths,	Page 148 1 his tactics, again, were intimidating to voters. And I 2 had people come to me and tell me, and even going out 3 knocking on doors and talking to people in the 4 community, if I heard it once, I heard it a thousand 5 times, that, look, Wesley, I'd love to support you, but 6 I'm scared to. I just can't do it openly because they 7 feared retaliation by the sheriff's office. 8 I even have a statement that was written by an 9 individual, and y'all are welcome to see it, that 10 basically says just that. I had confronted this person 11 or approached this person and asked for their help in 12 campaigning because I knew that they would be beneficial 13 to me. They were from the county. They knew a lot of 14 people, but they were scared to death to openly support 15 me because they had personally seen some tactics by the 16 sheriff's office that were concerning to this person and 17 that they feared would happen to them. 18 I had a business owner contact me and had told me 19 that I could put a sign on a piece of property that he 20 owned for my campaign. So I had a sign built out of big 21 frame and put the sign in it and put it on this 22 particular business's piece of property. It was out 23 there for probably a few weeks, and the business owner 24 called me one day and said, just want you to know that I 25 received a call from the sheriff.
Page 147 1 organized electioneering activities near polling places 2 in violation of Georgia law. Certain actions and 3 conduct by individuals near polling locations created 4 intimidation, obstruction, confusion, or improper 5 interference with voters and election officials during 6 the voting process. Voters and poll workers reported 7 disruptions and interference that may have materially 8 affected the orderly conduct of the primary election. 9 As I said, during the actual day of the primary and 10 actually getting out and campaigning prior to that, I 11 actually observed deputies from the Toombs County 12 Sheriff's Office patrolling the precincts in a manner 13 that prospective voters actually came to me and voiced 14 their concern that they called intimidating. There was 15 a particular deputy sheriff in uniform in a marked 16 patrol unit that, I believe, was his duties that day 17 from 7:00 in the morning to 7:00 in the evening to 18 actually patrol each precinct because I saw him and I 19 had others tell me that they saw him at every precinct 20 in the county. 21 The sheriff at the time was not my opponent. He 22 was retiring and his son, Jordan Knight, is the one that 23 was running in 2024 who was my opponent. Of course, the 24 current sheriff was campaigning hard to get his son in 25 office, which I understand, but I feel like that some of	Page 149 1 He's upset that I've got your sign on my property, 2 and he's told me that I need to take it down. He wasn't 3 sure what to do, and I told him, I said, I'm not trying 4 to cause you any issues. You're going to have to make 5 that decision, and we discussed about my campaign and 6 some of the things that I was planning on trying to do, 7 and we hung up the phone. Well, a few days later, I 8 happened to ride by that location, and the sign was 9 laying on its side. And I got out, pulled in, got out, 10 and somebody had taken a tire that was on a rim, looked 11 like maybe off a wheelbarrow or something like that, and 12 what appeared to me had been driving by and tossed it 13 out the window for the tire to go through the sign, and 14 it did quite a bit of damage. And I've got pictures to 15 that effect. 16 I fixed the sign, put it back up, took me a couple 17 of days, I think, to get all that done, put it back up. 18 A few days later, I came back by, and the sign was 19 completely gone out of the frame, and the frame was 20 pushed up against a building that was on that piece of 21 property laying on its side again. I had another sign, 22 a big, huge 4x8 sign that I'd also had somebody that 23 paid to have this printed and framed up for me, and I 24 got permission to put it in the front lawn of a lady's 25 residence, and I think it stayed there a couple of

Page 150

1 weeks, and it completely disappeared, frame and all, and
 2 this was a big sign. It had to take more than one person
 3 to haul this sign off.

4 I spoke about approaching voters in line. I
 5 actually observed at one of the precincts a campaign
 6 worker for my opponent in a T-shirt that had his name
 7 and all his campaign material on it, approach a lady
 8 that had just pulled up to the precinct. She parked
 9 right in front of the building where you go in to vote,
 10 and this particular person left the campaign tent and
 11 walked up to her with something in his hand, a piece of
 12 paper or something, I couldn't tell.

13 Personally, I was trying to make sure that I
 14 followed all the laws, the rules, and everything so that
 15 nobody could say that I violated any campaign or
 16 election rules or regulations, so I was a good distance
 17 away from where this was taking place. But I took my
 18 phone out and tried to take a picture of it the best I
 19 can, and it's a little blurry, but I do have a
 20 photograph of that as well, but I personally observed
 21 that.

22 OCGA 212414 prohibits campaign activities and
 23 solicitation within specified distances of polling
 24 places. Specifically, the statute prohibits any person
 25 from soliciting votes, distributing and displaying

Page 151

1 campaign materials, or establishing tables or booths
 2 within 150 feet of the outer edge of any building,
 3 containing a polling place, and there's five precincts
 4 in Toombs County, and four of them I can, and I didn't
 5 measure, but my opponent's tent was right up next to the
 6 building or right at the building, which suspicions me
 7 that it was within the 150 feet.

8 And you can't come within 25 feet of any voter
 9 standing in line to vote. I personally observed a
 10 worker for my opponent approach somebody that had just
 11 got out of their vehicle to go in to vote, and they were
 12 definitely within that 25-foot rule. Additionally, OCGA
 13 22566 provides that any person who willfully interferes
 14 with the conduct of a primary or election obstructs
 15 access to polling places or materially interferes with
 16 poll officers or voters may be guilty of a felony
 17 offense.

18 The reported conduct described above raises serious
 19 concerns regarding unlawful electioneering, voter
 20 intimidation, interference with a lawful administration
 21 of the May 21st, 2024 primary. During or actually after
 22 the election was over with, I actually did some requests
 23 through our local elections office for some information,
 24 and taking a look at that information, it appeared to me
 25 that it didn't look right. Every precinct except for

Page 152

1 one, the percentages were almost identical. It was
 2 almost like somebody had figured the numbers prior to
 3 and rubber-stamped this was how it was going to turn
 4 out. Again, it was only the second time I'd run for
 5 public office and wasn't really sure what to do with
 6 this or how to approach it.

7 I had a lot of information I was trying to go
 8 through. It took me several months. Just recently, I
 9 came in contact with a person that I felt like could
 10 help me some. That gentleman's name is David Cross. He
 11 was actually here earlier. He had to leave and go back
 12 to work. I had asked for his assistance in helping
 13 looking into these totals and that kind of thing. He
 14 began to dig into some information at the Secretary of
 15 State's website and come to find out that the election
 16 results had disappeared from the Secretary of State's
 17 website. And this was prior to the statutory retention
 18 records limitations.

19 So, you know, again, it just kind of raises another
 20 red flag with me that something just didn't seem quite
 21 right with these results.

22 MR. CHAIRMAN: Let me ask a question, if you don't
 23 mind. I'm not questioning the validity of your comments
 24 on it, but did you bring any witnesses with you that
 25 were intimidated?

Page 153

1 WESLEY WALKER: Well, I wasn't quite sure if I
 2 would be allowed to present witnesses or evidence or
 3 anything. Again, I've never done anything like this
 4 before, so I could have, but I didn't because I wasn't
 5 sure if they would be able to testify. I did get one to
 6 write a statement to that effect. I wasn't even sure
 7 that y'all would allow me to present it or not, but I
 8 brought it just in case. Like I said, I've got pictures
 9 on my phone because I wasn't quite sure how far y'all
 10 would allow me to go with this.

11 MR. CHAIRMAN: Oh, we've gone great lengths on some
 12 things.

13 WESLEY WALKER: So I didn't -- I didn't subpoena
 14 any witnesses because, again, I felt like from the
 15 letter I got that this was an opportunity. Y'all will
 16 afford me an opportunity to come and just make a
 17 statement on my complaint and on my behalf so that you
 18 hear from me directly. So I wasn't quite sure how far I
 19 could go with this, so no, I didn't.

20 MR. CHAIRMAN: Yeah, I mean, this board receives
 21 the investigation from the investigators that go out.
 22 And there's nothing in here, any investigation that
 23 really details somebody being intimidated, gives us a
 24 lot of information on that. There's an allegation that
 25 was confirmed of the sign being stolen. A stolen sign

Page 154

1 isn't covered under the election code, really. That's a
 2 criminal issue, not an election code issue.

3 WESLEY WALKER: Well, my point is that, in my
 4 opinion, the spirit of the law, the intent of the law of
 5 voter intimidation is so that the voter can vote for
 6 whatever candidate they feel they want to vote for
 7 without fear of anything or any repercussions or
 8 anything. So you have to look at what's in that voter's
 9 mind at the time that they're trying to decide who
 10 they're going to vote for.

11 And if they're fearing retaliation from a certain
 12 person, that if I vote this way, something may happen to
 13 me, especially when you're talking about law
 14 enforcement. I think that's what you have to look at is
 15 what's going through the mind of that voter. I know the
 16 investigator, Michael Parrott, that came down. And I
 17 don't know Michael, how long he's been doing this. We
 18 didn't get into a whole lot of that. He told me who he
 19 was and what he was going to do. I gave him the
 20 information that I had. But he admitted to me that he
 21 didn't know a whole lot about the election laws, and he
 22 didn't really know why he was there.

23 So I just don't feel like the investigation that he
 24 conducted was appropriate. This particular person that
 25 you have a statement from will tell you that Michael

Page 155

1 Parrott came to him and talked to him and that he asked
 2 leading questions as though he was trying to get him to
 3 answer in such a way that there was no violations. And
 4 this particular person is former law enforcement. So
 5 those kinds of things concern me about the
 6 investigation.

7 There's, again, several red flags that come up with
 8 me. You know, and I'll say this, and I'll let you all
 9 decide whatever you want to decide. Again, I've been
 10 doing this for almost 40 years. I've seen corruption in
 11 local communities to the point that I've tried to fight
 12 that because I don't do well with corruption. I think
 13 it's wrong. The laws apply to everybody. They don't
 14 just apply to a certain few.

15 And we even get in trouble in law enforcement if we
 16 selectively enforce the laws. We can't do that. And
 17 sometimes I've seen that done, and in my opinion, that's
 18 corruption. And I've stood up to that to the point that
 19 it's cost me everything. I had to testify in a RICO
 20 action against my father-in-law, my wife, and her sister
 21 that cost me everything. I lost my home. I lost my
 22 marriage. I lost my children. I lost my job because of
 23 it. But you know what? If I had to go back and do it
 24 all over again, I'd do the exact same thing. Because it
 25 was the right thing to do. Because I got up there and I

Page 156

1 told the truth, no matter the consequences.

2 I had another situation. My first chief's job in a
 3 small town in south Georgia. I hadn't been there nine
 4 months, or actually probably about six months. And I
 5 discovered corruption in that local government that
 6 involved the mayor's son. And I was doing what the
 7 council had asked me to do, and that was to clean up a
 8 part of that town that they weren't happy with. Well,
 9 unfortunately, the mayor's son got wrapped up in it to
 10 the point that the GBI and the FBI got involved.

11 And I was meeting with the FBI on a regular basis
 12 that nobody knew about. And it got to the point that
 13 the mayor sent two councilmen to my office one morning
 14 and tried to get me to dismiss charges and give back
 15 evidence in this case so that her son wouldn't be
 16 implicated. And I recorded the whole conversation. And
 17 they told me that if I didn't do it, they were going to
 18 get rid of me.

19 Well, guess what? They got rid of me because of
 20 it. And let me say this, is that I've seen corruption
 21 throughout my whole career and I've fought against it
 22 and it never fails. The people that I've fought
 23 against, nothing ever happens to them. That time when
 24 the mayor's son got involved, that went to the DA's
 25 office and the DA decided not to indict them. And it

Page 157

1 was the mayor and about four councilmen and a bunch of
 2 other people too.

3 And so here I am again, almost 40 years into this,
 4 and I see corruption in our local community. And I want
 5 to stand up for it because I feel like it's the right
 6 thing to do.

7 MR. CHAIRMAN: Well, it is the right thing to do,
 8 and we appreciate --

9 WESLEY WALKER: But I don't know that it's going to
 10 change anything.

11 MR. CHAIRMAN: The board has to vote based on the
 12 facts that we have before us. And you're in law
 13 enforcement, you know that. And if you'd brought some
 14 witnesses that actually experienced intimidation and be
 15 able to tell us about those events that we'd be able to
 16 consider that, those people would experience it.

17 WESLEY WALKER: But again, the letter that I got
 18 was not specific on what I could do as far as that goes.
 19 And I didn't want to ask these witnesses to drive four
 20 hours and sit in this hearing and not be able to
 21 testify.

22 MEMBER GRUBBS: So I would just like to say thank
 23 you for standing up for what you believe to be the right
 24 thing. I know it's hard and I know what it's like to
 25 be, you know, part of the lone man out there doing that.

Page 158 1 So thank you for doing that. So I would imagine the 2 gentleman in the back is now the current sheriff. Is 3 that correct? 4 WESLEY WALKER: That's correct. Yes. 5 MEMBER GRUBBS: And so his father was the sheriff 6 before? 7 WESLEY WALKER: Yes, ma'am. 8 MEMBER GRUBBS: For how long? 9 WESLEY WALKER: Twenty-something years. 10 MEMBER GRUBBS: Twenty-something years. So and I 11 understand coming to an SEB meeting and presenting, it's 12 not like you kind of know the ropes like you've been to 13 state court or superior court or magistrate court and 14 you kind of know how it goes and that kind of thing. 15 You're not exactly prepared. I will say that I don't 16 know the investigator by some of the other cases. He's 17 been more thorough than other investigators. 18 At the SEB, you know, we've kind of been 19 handicapped by the fact that we haven't had our own 20 full-time, you know, investigators that are trained in 21 election law and all that kind of stuff. So we have 22 been at the mercy of the Secretary of the State to do 23 those kinds of things. But I believe this investigator 24 to be thorough, and his report seems to be somewhat 25 thorough, but maybe not getting to the heart of all the	Page 160 1 than big-town politics is small-town politics. 2 WESLEY WALKER: Well, you know, I've heard that 3 probably more times than I want to count is that, oh, 4 well, it's just nasty South Georgia politics, you know - 5 - 6 MR. CHAIRMAN: It happens in North Georgia too -- 7 WESLEY WALKER: Well, and I'm sure it does, but I'm 8 from South Georgia, and I've heard that more times than 9 I want to count. But yeah, it may be, but that don't 10 make it right, you know. There's laws in place for 11 this, and they need to be enforced. And I just feel 12 like a lot of times people just turn their head to it 13 and just chalk it up as, oh, that's politics, you know. 14 And they move on about their business because they don't 15 take it seriously. 16 Well, when you're a public official trying to run 17 for a public office, then yeah, you take it seriously, 18 or I do. That's why I'm here today. That's why I drove 19 four hours up here. And I know I didn't have to come. 20 The letter told me that. I didn't have to show up 21 today. I could have stayed home. But I felt like just 22 the simple fact that y'all sent me the letter and 23 afforded this opportunity to me to drive up here, I 24 wasn't going to turn it down. I was going to take the 25 time to do that because you need to hear from me. I
Page 159 1 issues and that kind of thing. 2 So, like, if you could have anything happen in this 3 case, what would it be to go back and interview 4 witnesses more thoroughly? What would it be based on 5 your law enforcement perspective? 6 WESLEY WALKER: I would like to see an independent 7 investigator that doesn't come in with a pre-notion that 8 there's nothing to this, because that was the impression 9 I got from him. That he didn't want to be there and he 10 didn't know why he was there, and he really didn't care 11 about what I had to say. And I would just like to see 12 an independent investigation be done and that would 13 really dig in to what these witnesses that I've got that 14 need to be talked to, if they'll talk to them. 15 See, that's another thing, is that I know some that 16 he went and talked to that wouldn't tell him what they 17 had told me because they were scared. They were scared 18 that something would happen to them, and some of them 19 were business owners. And they were scared that 20 something might happen to their business, and that's 21 their livelihood. So again, there's that intimidation 22 factor. 23 But I know he wouldn't recognize that because he's 24 just going through the motions, so to speak. 25 MEMBER GRUBBS: Well, sometimes the one thing worse	Page 161 1 filed this complaint. I want you to hear from me. 2 So I drove four hours up here just to do this, even 3 though I didn't have to, because that's how serious I 4 take it. 5 MR. CHAIRMAN: We appreciate that, Chief. We 6 really do. Thank you. We're going to hear from the 7 respondent now. If you'll stand over there, please. 8 Are you Jordan Kight? 9 JORDAN KIGHT: Kight. 10 MR. CHAIRMAN: Sheriff Kight? 11 JORDAN KIGHT: Yes, sir. 12 MR. CHAIRMAN: Are you kin to Jeff Kight, the 13 judge? 14 JORDAN KIGHT: No, sir. 15 MR. CHAIRMAN: Okay. Then I don't have to recuse 16 myself. 17 JORDAN KIGHT: Good afternoon, everybody. I myself 18 made a four-hour trip because this is very important to 19 me as well. 20 MR. CHAIRMAN: Please introduce yourself for the 21 court reporter. 22 JORDAN KIGHT: Can you hear me now? 23 MR. CHAIRMAN: Yes. Introduce yourself for the 24 court reporter. 25 JORDAN KIGHT: My name is Jordan Kight. I'm from

Page 162

1 Toombs County. I thought it was very important that I
 2 come and see about this as well. You took the time to
 3 send a letter to me regarding these accusations and
 4 these facts of the findings of the investigation. And
 5 so I felt like that prompted a time for me to arrive and
 6 speak my piece if there was anything to be said.

7 So with that being said, voter intimidation, how do
 8 I know who's going to vote? You go behind -- You've all
 9 voted -- you go behind the machine. You go in and you
 10 vote. When you walk out, who knows who you voted for?
 11 Nobody. So how in the world can I sit here, you know,
 12 and I guess there could be some type of intimidation
 13 factor. But what's that to be able to make a person 100
 14 percent say, oh, my Lord, I've got to vote for Jordan
 15 Kight? I will never have a clue whether they voted for
 16 me or not unless they come to me and tell me. They can
 17 vote for whoever they want.

18 The way the voting is set up, the privacy of it
 19 affords them that opportunity. Therefore, they don't
 20 have to worry about intimidation or anything of, you
 21 know, retaliation in that matter. My father was elected
 22 in 1998. He's a retired sheriff, Albie Lee Kight, Jr.
 23 We have dealt with elections. I've dealt with elections
 24 growing up from childhood. The laws, I don't think,
 25 have changed a whole lot as far as the voting precincts,

Page 163

1 where you can be at, what you can do, your conduct, the
 2 laws of the election and ethics and things of that
 3 nature.

4 So I know those things. I know what you can and
 5 can't do. Being within 150 foot of a polling location,
 6 it's a no-brainer. Everybody's out there who's not
 7 going to see that. I'm not going to take and jeopardize
 8 myself by putting my tent any closer than what the law
 9 or the ethics in the law allows. As long as I'm out
 10 there, I have a tent out there that represents us like
 11 we have the right to do, then that's what we're going to
 12 do.

13 Most people have already made their mind up before
 14 they show up to the polls anyways. But Michael Peacock
 15 [sic], the investigator, reached out based on what I
 16 understand from the letter, because I was not provided
 17 hardly any information from him, but based on the
 18 letter, he reached out to the people who were provided
 19 by the complainant, Wesley Walker, and interviewed them.

20 MR. CHAIRMAN: For the record, it's Michael
 21 Parrott.

22 JORDAN KIGHT: Parrott, I apologize.

23 MR. CHAIRMAN: I just wanted to make sure that the
 24 court reporter knew that we had --

25 JORDAN KIGHT: I apologize for that. Michael

Page 164

1 Parrott?

2 MR. CHAIRMAN: Yes.

3 JORDAN KIGHT: And he comes back with a claim of,
 4 it's unfounded. He didn't come up with any claims that
 5 were founded in this situation. That just could be
 6 because there are no actual claims. There was one in
 7 question about approaching a voter or being within the
 8 150-foot space of the voting precinct that I was
 9 questioned about. I worked with the investigator on
 10 that.

11 He provided me with a picture that was provided
 12 with him. I helped him identify exactly who it was,
 13 provided him with his contact information, and he was
 14 able to talk to that person. Based on where the person
 15 parked at, the actual voter was never spoken to. The
 16 occupant in the car, being the daughter of the voter,
 17 was approached outside of the 150-foot mark after the
 18 mother had entered the actual building.

19 This is a small town. We don't have lines backed
 20 up way around the building. He admitted that. I'm
 21 thankful that he did because that was what he said was
 22 the truth. And then he spoke to her because she's
 23 family. And then he left and turned around and came
 24 back before the mother returned back to the vehicle.
 25 And so was I happy about that? No, because it put us on

Page 165

1 the edge.

2 But there again, I worked with the investigator as
 3 best I could to not hide anything. He spoke with the
 4 poll worker. And as that comes out in his
 5 investigation, there's a found it on the distance that
 6 him actually speaking with the voter. The girl, the
 7 daughter, was underage. She can't vote. She's a high
 8 school at that time. This also has in here something to
 9 do with the voting machines being down during lunchtime.
 10 I have no idea about that.

11 Once I learned about this, I did question it
 12 because I want to know. That however long that time was
 13 could have been votes that I could have received as
 14 well. So that I'd lose votes. I don't know. The
 15 answer I got was that there were no complaints filed or
 16 the knowledge of that. So I think it's a matter of
 17 opinion on the investigators ability to do this job. It
 18 seemed very thorough to me. I know when we got finished
 19 talking.

20 But, you know, I think that's simply a matter of
 21 just opinion, whether you feel like he's a good
 22 investigator and knows how to do his job or not. It was
 23 very thorough in aspects of the time that we spoke. I
 24 won't take up any more of your time. I do appreciate
 25 the opportunity to speak.

Page 166 1 MR. CHAIRMAN: Any questions for the sheriff? 2 Thank you, Sheriff. 3 JORDAN KIGHT: Thank you. 4 MR. CHAIRMAN: Appreciate you. Y'all have all read 5 the findings, I take it? Any further questions from the 6 board? Chair will entertain a motion on this case. 7 MEMBER GRUBBS: Mr. Chairman, I would actually like 8 to speak to the investigator on this case. I've never 9 met him, never talked to him. So I would actually like 10 to find out. Yeah, I would like to continue this case. 11 And I would like to have the opportunity to speak to the 12 investigator and get some more details. And just -- I 13 feel like to make any kind of ruling at this point in 14 time would be premature. 15 MR. CHAIRMAN: We have a motion to continue the 16 case. Is there a second? 17 MEMBER GHAZAL: Second. 18 MR. CHAIRMAN: We have a motion to continue the 19 case. Any discussion? Hearing no discussion, all those 20 in favor of continuing the case signify by saying aye. 21 Any opposition? Hearing no opposition, so moved this 22 case to be continued by a vote of four to zero. Thank 23 you, gentlemen. Sorry. Yeah, gentlemen, Sheriff, 24 Chief, you know, when the case comes back up, you can 25 attend via Zoom if it's easier than driving four hours	Page 168 1 MEMBER GRUBBS: Okay. I would like to visit our 2 policy on that. I think if someone is a complainant in 3 a case, you know, they're a party to it just like 4 someone would be party to an action in, you know, civil 5 litigation. I would think that the complainant has 6 every right to have a copy of the investigation report. 7 MR. CHAIRMAN: It's a summary. 8 JORDAN KIGHT: Yes, it's a summary (indiscernible 9 due to not being at the microphone.) 10 MEMBER GRUBBS: Thank you. 11 MR. CHAIRMAN: All right. Thank you. And if you 12 have witnesses -- 13 WESLEY WALKER: I would be able to present them, I 14 guess, at the next hearing or whatever? 15 MR. CHAIRMAN: -- they can be on Zoom, too. Yep. 16 Well, when it's rescheduled again. 17 WESLEY WALKER: Right. Gotcha. 18 MR. CHAIRMAN: Thank you. Next on the agenda is 19 SEP2024-193, Atkinson County, interference with 20 elections. Is there somebody here from Atkinson County? 21 Atkinson Count, the Chair will entertain a motion on 22 that case. 23 EXECUTIVE DIRECTOR MILLS: The Georgia Secretary of 24 State's office received a complaint from Atkinson County 25 Election Supervisor Sandra Sweat alleging the voter
Page 167 1 for you. So that's up to you all, though. 2 If you want to attend via Zoom, just send us an 3 email prior to that, and we'll send you the link to 4 where you can do that, okay? 5 WESLEY WALKER: Can I ask one question? 6 MR. CHAIRMAN: Yes. 7 WESLEY WALKER: Would I be able to get a copy of 8 the investigative file? 9 MR. CHAIRMAN: Probably not. They don't give out 10 full investigative files for open investigations. You 11 should be able to get a copy of the summary of the 12 investigation. The summary, I believe, so. 13 MEMBER GRUBBS: The sheriff has it. 14 WESLEY WALKER: I've requested a copy, but I've 15 never seen one. 16 MR. CHAIRMAN: Yeah, we'll see what we can do. All 17 right. All right. 18 MEMBER GRUBBS: Mr. Sheriff, I noticed that you had 19 a copy. Did you get it through an ORR? 20 JORDAN KIGHT: No, ma'am, this is just what was 21 sent to me. 22 MR. CHAIRMAN: A copy of the summary was sent out - 23 - 24 MEMBER GRUBBS: Gotcha. Okay. Understood. 25 MR. CHAIRMAN: To respondents, yeah.	Page 169 1 Vonita Walker attempted to vote a second time. After 2 casting and scanning her ballot, Ms. Walker told polling 3 staff she had not voted and did not know what was on her 4 ballot. She then caused a commotion while others were 5 present inside the polling place claiming that she had 6 not voted, that the ballot she had scanned belonged to 7 someone else and had been left in the printer. 8 Ms. Sweat stated that this was not true as every 9 voter up to that point had properly cast their ballot. 10 Ms. Walker then attempted to return to the poll pad 11 clerk stating that she wanted to vote again. Ms. Sweat 12 informed her that she could not vote a second time and 13 attempting to do so was against the law. Ms. Sweat 14 reported that Ms. Walker was a distraction to the other 15 voters and that her use of profanity and inappropriate 16 was inappropriate. 17 She also stated that Ms. Walker's actions delayed 18 others from scanning and casting their ballots. The 19 incident occurred during the advance voting period for 20 November 5th, 2024 general election. 21 MR. CHAIRMAN: Now the reason I pulled this one is 22 that I have this great dislike for people that cause 23 disturbances in the election polling locations. Ms. 24 Walker properly checked in, received a voter access 25 card, completed selections on the ballot marking device,

Page 170 1 reviewed her printed ballot and scanned it. After 2 receiving an I Voted sticker, Ms. Walker began loudly 3 claiming she had not voted, that her ballot was blank, 4 that the ballot she scanned belonged to someone else. 5 Poll staff reported that Ms. Walker used profanity, 6 caused a disruption, impeded other voters from scanning 7 their ballots and attempted to return to the poll pad 8 station again despite being informed it's not 9 permissible. 10 So my thought was that's a potential violation 21- 11 2-566, interference with primaries or elections. If the 12 board wants to dismiss it, the board can do that. My 13 thought was continue this case and enlist her as a 14 respondent with that potential violation and have her be 15 able to defend herself on that. 16 MEMBER KING: I'm okay with that because I'm 17 wondering if there's some mental challenges happening. 18 MR. CHAIRMAN: I asked that question. Ms. Walker 19 is an older lady and I would certainly take that into 20 consideration depending on her mental capability. But I 21 don't know her mental capability from reading this. 22 MEMBER KING: You're not saying because she's older 23 that she may have -- 24 MR. CHAIRMAN: No, but you're the one that asked 25 about mental challenges.	Page 172 1 MR. CHAIRMAN: And the respondent is Cherokee 2 County Board of Elections and Voter Registration. 3 Please identify yourself. Speak into the microphone so 4 that our . . . 5 PAMELA THOMPSON: My name's Pamela Thompson. Thank 6 you so much for hearing my case today regarding the 7 failure to post polling location changes in Cherokee 8 County on July 15th, 2025. Early on, I was willing to 9 accept the lack of notice as maybe a simple oversight. 10 Early on, I was willing to accept the lack of notice as 11 maybe a simple oversight. I was handed a flyer on my 12 June 17th vote stating that the polling location may 13 change. That's an emphasis on the, may. 14 Since this flyer did not state the location, and 15 other than that, there wasn't any notice that it 16 actually did change. On July 15th, like most people, I 17 have to go to work. And at some point in the day, I 18 visited both the Cherokee votes and my voter page. And 19 at some point in the day, I visited both the Cherokee 20 votes and my voter page. All right. 21 So on July 15th, after work, I visited both the 22 Cherokee votes site and my voter page. And on neither 23 page did I see any kind of notice that the polling 24 location had actually changed. There were banners up, 25 but neither of them referenced a polling location
Page 171 1 MEMBER KING: I had to do it. I had to do it. No, 2 I get it. Yeah, I think we should continue it to see. 3 MR. CHAIRMAN: The Chair would you entertain a 4 motion? Member Ghazal, did you have a question? 5 MEMBER GHAZAL: I move that we continue this case - 6 - 7 MEMBER GRUBBS: Use your mic. 8 MEMBER GHAZAL: Is it working? It's probably best 9 for everyone that it's not. But I move that we continue 10 this case for further investigation. 11 MR. CHAIRMAN: Is there a second? 12 MEMBER KING: Second. 13 MR. CHAIRMAN: The motion is seconded. All those 14 in favor signify by saying aye. Any opposition? 15 Hearing no opposition, so moved. The next item on the 16 agenda is SEB2025-036 Cherokee County, failure to post 17 polling locations change July 2025. That is 15. 18 EXECUTIVE DIRECTOR MILLS: The Secretary of State 19 opened an investigation after receiving a complaint 20 regarding a polling location change without proper 21 public notification, having been made by the county a 22 potential violation of OCGA 21-2-270. 23 MR. CHAIRMAN: The complainant is Pamela Thompson. 24 I take it you're Ms. Thompson? 25 PAMELA THOMPSON: Yes.	Page 173 1 change. So I went about my day and left just with 2 enough time to get to my normal polling location with 3 about 15 minutes left in the day to go ahead and vote. 4 And when I did get there, which is Clark Creek STEM 5 Academy, there was a notice over there that the polling 6 location had moved to Canton City Hall. So it's July. 7 It's the middle of summer. Nobody is going to school. 8 Nobody is going to see this one poster on the wall. And 9 Canton City Hall is a good 30 to 45-minute drive, even 10 more, if, you know, it's rush-hour traffic. So 11 basically, yeah, that's it. There's just no way for me 12 to actually get to the polling location. 13 I can read the discourse between myself and the 14 Cherokee County Election Specialist, Julianne Roberts. 15 It basically ended with my final response that I did 16 receive that June 17th flyer, but it wasn't useful, as 17 previously stated. It didn't say that it definitely was 18 changing or where. I never heard back until I received 19 notice of this hearing, which has now been delayed on 20 multiple occasions to the point that I no longer believe 21 the issue is a simple oversight. 22 All right. For the dozens of hours I've spent 23 watching these meetings and the thousands of hours on 24 behalf of others, the millions, if not billions of 25 dollars that have been wasted arguing the legitimacy of

Page 174 1 voters, at no point has anyone looked at the state of 2 Georgia's absolutely abysmal record of voter 3 participation. Voter turnout for the Cherokee County 4 election on July 17th was 0.64 percent. 0.64 percent 5 voter turnout. For the June 15th, it was 2.12 percent. 6 Now, these are primaries. They're runoffs. 7 There's naturally less voter participation. Now, I 8 will say, yes, it was a minority runoff. And, let's 9 see, Canton City Hall is in the SPAC center of the 10 county. So if you're from any corner of the county or 11 if you work outside the county, like I work in Kennesaw, 12 it is no less than 40 minutes to an hour to get there 13 and back. So, going to vote there, it's going to be a 14 good two hours of your day, give or take. It's not 15 convenient for anyone. 16 So, when I say voter turnout is dismal in this 17 state, the 2024 presidential election, turnout was 72 18 percent of registered active voters in the presidential 19 election. Now, we just need more people to acknowledge 20 in this state that state, county, local, primary 21 elections, the elections that matter and affect our 22 lives, voter turnout in every county, almost every 23 county except for three in the state of Georgia, voter 24 turnout is between 20 and 30 percent. There's three 25 counties where it tops 40 percent.	Page 176 1 and signage. 2 And Cherokee County was listed on the Secretary of 3 State's website as being one of the county's 4 consolidated polling locations. And also provided a 5 screenshot of SOS My Voter page titled Important Notice 6 Announces that many counties have consolidated polling 7 locations and directed voters to their local election 8 offices for further details. They provided a whole 9 bunch of documentation for the posting. 10 PAMELA THOMPSON: Right. And on the website, it's 11 referring you to somewhere else. And that information 12 was not there. How many of you get the newspaper and 13 read for notices? Anybody? 14 MR. CHAIRMAN: I don't -- that means -- 15 PAMELA THOMPSON: No. And I had to physically 16 drive into the school parking lot and walk up to the gym 17 door to see that posting. So, at some point, we need to 18 be asking ourselves, are these legal requirements 19 sufficient? Because if I had been mailed a postcard, if 20 I had been sent an email, I've gotten physical mail from 21 you to come here. I've gotten emails from this board to 22 come here. And that seems like that could be just one 23 thing that would make it sufficient as far as letting me 24 know where I need to go vote should something change. 25 A part of what I was told is the party in this
Page 175 1 We need to stop asking if the people who are voting 2 should be allowed to vote and start asking why the 3 majority of people who are eligible and registered are 4 not voting. For some reason, a minority of voters are 5 able to decide our elections. And I ask that everyone 6 in this room and watching this feed, please dedicate 7 more time and effort to increasing voter engagement and 8 accessibility. Thank you. 9 MR. CHAIRMAN: Thank you. I agree with you, it's 10 dismal. Ms. Thompson, thank you for saying that. The 11 board has to decide whether the public notice were 12 provided according to the code. And so, Cherokee County 13 provided us with the following documentation. I don't 14 know if you've been able to read this. 15 It's a newspaper ad published in the Cherokee 16 Tribune on June 26th and July 3rd, which is the legal 17 origin. Article from the Atlanta Journal-Constitutional 18 Commission on July 9th. Press release from Cherokee 19 County Communications Division on June 23rd. Cherokee 20 County Chamber of Commerce website posting. Social 21 media posts. Photo examples of notices posted at 22 polling locations. Official notice placed at polling 23 locations on July 1st. And picture of yard sign posted 24 at each polling location on July 14th. Email to poll 25 workers giving them instructions regarding the posting	Page 177 1 runoff is less than one percent of the county. So 2 that's why we moved it to this one location. So if 3 we're talking about less than one percent of voters in 4 the county, that does not seem like a huge expense to 5 print a postcard, letting people know. Nobody sees most 6 of these legal required postings. 7 MR. CHAIRMAN: Yeah, I can't disagree with any of 8 that. The question is whether they follow the law. 9 PAMELA THOMPSON: Right. 10 MR. CHAIRMAN: And that's what we have to decide 11 whether they follow the law, which is what's required. 12 PAMELA THOMPSON: Right. Understandable. I will 13 say I didn't take a screenshot of the website. I wish I 14 hadn't thrown that flyer in the trash that day so the 15 janitor was in the office at the same time. But it 16 wasn't there. I looked through my phone. So when I say 17 there may have been an oversight, maybe you could see 18 that banner that actually stated where to go from a 19 laptop computer, but it was not showing up on my phone. 20 And 97 percent of people are looking at websites from 21 their phone. 22 So, like I said, minor oversight potentially that 23 they put it on the desktop site and it didn't translate 24 to mobile site. 25 MR. CHAIRMAN: Any questions?

Page 178 1 MEMBER KING: No, I mean, I agree. I think you -- 2 I understand the frustration. However, I also 3 understand that for the counties, in order for you to 4 get that personalized message, it has to go to every 5 registered voter, which is extremely expensive. And so 6 sending it through the paper, even though I agree, I 7 don't read the paper either, especially our paper -- But 8 I will say that with Cherokee County, I mean, that is 9 public notice, so. 10 PAMELA THOMPSON: Right. Yeah, that's the minimum 11 required public notice. 12 MR. CHAIRMAN: Any further questions for 13 Respondent? Anybody need to hear from Cherokee County 14 on this? No? Thank you, Ms. Thompson, we appreciate 15 it. The Chair will entertain a motion on this case. 16 MEMBER KING: Due to the fact that they did use the 17 proper channels, I make a motion that we dismiss this 18 case. 19 MR. CHAIRMAN: We have a motion to dismiss 20 SEB2025-036. Is there a second? 21 DR. JOHNSTON: Second. 22 MR. CHAIRMAN: We have a motion and a second. All 23 those in favor signify by saying aye. Any opposition? 24 Hearing no opposition, so moved. Thank you. The next 25 item on the agenda is possible letters of instruction.	Page 180 1 where there were several complaints but there were no 2 violations listed on this one. There's three complaints 3 complaint one, two, and three and so no violations 4 listed on it. And there were no -- with the respondents 5 Secretary of State and Tate Fall Director of Elections, 6 but there are no violations on that and I didn't -- I 7 didn't know why it's listed under letter of 8 instructions. In my opinion it should have been a 9 dismissal case. 10 DR. JOHNSTON: My question is how did a case get 11 investigated without an alleged election law violation? 12 The Secretary of State investigators should have 13 provided an alleged election violation in order to 14 investigate this. 15 MR. CHAIRMAN: Well, the -- the complainants 16 reported receiving absentee ballots addressed to 17 individuals not residing at their address not receiving 18 their request absentee ballot or that their ballot was 19 mailed to the wrong address. You want to continue it? 20 We have a motion to continue. Is there a second? 21 MEMBER KING: Second. 22 MR. CHAIRMAN: We have a motion to continue from 23 Member King. A second from Member Johnson? 24 GREG KROHN: Mr. Chair, may I address the board? 25 MR. CHAIRMAN: Is it referring to this case?
Page 179 1 We'll vote on those en masse too. The SEB2022-006, tab 2 24. A request was made to continue that case, and I've 3 already agreed to continue that case. The request was 4 made yesterday. 5 SEB2024-013 Long County voter registration issue. 6 I've been speaking with Dr. Johnson about that case and 7 there's no violation listed on that. But Dr. Johnson 8 would like an opportunity to look through the code and 9 see if there is a potential violation there. But 10 there's not one listed so the chair will entertain a 11 motion to continue that case. 12 MEMBER KING: So move. 13 MR. CHAIRMAN: Is there a second? 14 MEMBER GRUBBS: Second. 15 MR. CHAIRMAN: We have a motion and a second to 16 continue SEB2024-013 Long County. All those in favor 17 signify by saying aye. Any opposition? Hearing no 18 opposition, so moved. The next case we're going to hear 19 is SEB2021-021. It's the first one Cobb County improper 20 processing of absentee ballot. And I'm bringing that 21 one up because also with that case too and that is a 22 number 23, as soon as I find it here. 23 MEMBER GRUBBS: Mr. Chairman, when you get a minute 24 I have a question. 25 MR. CHAIRMAN: All right. This is another one	Page 181 1 GREG KROHN: This case, 021. 2 MR. CHAIRMAN: Okay. Come, please. 3 GREG KROHN: I am the author of the complaint. 4 MR. CHAIRMAN: Come to the -- 5 MEMBER GRUBBS: Mr. Chairman, I would also like to 6 note that this is a 2021 case, resulting from 2020. And 7 oftentimes people keep saying that we don't have any 8 older cases and that kind of thing and I'd just like to 9 point that out. 10 GREG KROHN: Well good afternoon. My name is Greg 11 Krohn. I'm retired. I was a director of Lockheed 12 Martin Aerospace F-22 cockpit systems pilot design with 13 a lot of experience in software and a lot of exposure to 14 software and processing. And one of the things I think 15 we can agree on is that software does what it's 16 programmed to do. Software does what it's programmed to 17 do. 18 This is an interesting case because what happened 19 here is that three times, three different dates, I 20 applied for absentee ballot and never received one. 21 Here's what the programmed system did. Each time I 22 applied I received a letter a few after applying, an 23 email -- email -- excuse me -- not a letter -- an email 24 that said thank you for applying and you can see that in 25 the data package that I sent you. You can also see in

Page 182 1 that data package that I downloaded the direct receipt 2 of applying for an absentee ballot. Time passed. 3 My wife received her absentee ballot. She's 10 4 years younger than I am. That may be relevant. Maybe, 5 but I'll tell you why. So as I became suspicious after 6 I applied the second time with the same result, software 7 does what it's programmed to do. Let me make this 8 point. The system replied to me twice. It allowed me 9 to download my record. It sent me an email. The system 10 did that. It was programmed to do that. So I do not 11 receive absentee ballot. 12 I go to the local election office in Marietta and I 13 sit down at the desk and I ask the person why haven't I 14 received my absentee ballot. The person, kind person, 15 turned her screen to me with my record and said you've 16 never applied for an absentee ballot. She showed me the 17 screen and there was no record of an absentee ballot 18 request. I pulled out my phone where I had the receipts 19 staged, showed them to the woman. She just shook her 20 head and said there's no record that you ever apply for 21 an absentee ballot. 22 That day I went to the desk and requested an 23 absentee ballot, which they did send me. They handed it 24 to me I think at that date and I took it home. I did 25 notice that the absentee ballot on that day was a	Page 184 1 know that? How do we know that that code isn't being 2 corrupted purposely in some fashion? And here's where 3 the age question comes in. 4 At that time I was 70 years old, a Republican, and 5 it happens three times on three different dates, which 6 rules out a software glitch, a failure of the computer 7 system, electrical failures, three different dates, 8 three different attempts, same results, and the 9 condemning part is the Secretary of State's office 10 repeatedly told me there were no records of those 11 requests. 12 So I ask this question. If the coding in your 13 system is working, if it is working as Brad claimed it 14 was at those times, why was it working for so many 15 thousands of people but not for me? Why was it working 16 only partially for me, the downloading of the specific 17 application, the follow-up email that said thank you for 18 your request, and then nothing else worked on my behalf 19 with no records in the state systems? So why did it -- 20 why does it work for some people and doesn't work for me 21 when coding only does what it's told to do? 22 MEMBER GRUBBS: Mr. -- is it Krohn? 23 GREG KROHN: Yes. Yes, ma'am. 24 MEMBER GRUBBS: So thank you for having the 25 receipts on this because a lot of people try and then
Page 183 1 different color than what other people were having 2 handed to them. So I went back home and I applied for 3 an absentee ballot online again. The third time, the 4 same result. 5 The program sent me a letter saying thank you, an 6 email -- excuse me -- saying thank you for applying for 7 an absentee ballot. I downloaded the record of the 8 absentee ballot, which you can see in the data case 9 that's right there, and never received an absentee 10 ballot on that request, nor when I called the state 11 secretary's office to talk to their person, his name is 12 in the record that I sent you, and later I talked to 13 Francis Watson. 14 They both told me there was no record that I'd ever 15 applied on those dates for absentee ballots, even though 16 I had the receipts in my hand. Now comes a fourth 17 incident. 24 months later I received an email on my 18 phone that says thank you for voting by absentee ballot 19 in the runoff election. I called the office and I 20 informed them at that time that I never voted by 21 absentee ballot in that runoff election. 22 So I want to ask you this because systems do what 23 they're programmed to do. How do we know that the code 24 that people are entering at the working level is valid 25 code for the intention of the voting system? How do we	Page 185 1 they close out their browser or they don't get a 2 screenshot and things like that. So thank you for being 3 diligent about that. Your story is not unique. I think 4 a lot of the issues that happen with our voting system 5 happen because people are on an island, they're 6 isolated, you know, you're not talking to Mr. Jones who 7 had it happen to him, who's not talking to Ms. Smith, 8 who's, you know, this happens more frequently than I 9 think people realize. 10 In fact, I just heard of a story in DeKalb County 11 where a similar thing happened. Went through all the 12 steps to request an absentee ballot, congratulations, 13 your ballots, you know, whatever, and then it doesn't 14 show. Or there has been -- it's a shame that Ms. 15 Mosbacher isn't still here. I don't think she's here 16 because in Cobb County we have had, I'm a Cobb resident, 17 and we have had issues with people in UOCAVA ballots 18 requesting UOCAVA ballots and never receiving them. 19 Same scenario, same situation. So I think that 20 this goes beyond the capability of what some of the 21 investigators can do at the SOS's office. This is a 22 case that I would like to see this board take up and 23 follow through all the steps, really look at all the 24 evidence, and engage someone who can actually look at it 25 and maybe, you know, thankfully Ms. Dover's still here.

Page 186 1 I don't know if you've had any of these issues in 2 Cherokee County or not. 3 If it's just a random, oops, you didn't get your 4 ballot or, like you said, you feel kind of targeted at 5 this point, I'm sure, that this has happened numerous 6 times. It's like why is it happening with you or what 7 about other people who are not computer savvy, they go 8 online, they go through all the steps and they just 9 never get their absentee ballot and it just never occurs 10 to them that, hey, there's maybe an issue or they, the 11 first go-to would be it got lost in the mail and that's 12 not right. 13 If we're going to have an absentee ballot system it 14 needs to work. So I would love to hear what everyone 15 else says, but I make a motion that this be further 16 investigated and continued. 17 MR. CHAIRMAN: Yeah, I'm glad you came here today 18 because I would have blamed this on the post office, 19 which is my favorite punching bag these days. But it 20 would be helpful to me and continue to investigate this 21 if you're willing to send me an email and just detail 22 what you told us along with a picture of the response 23 that you got. 24 GREG KROHN: I have sent that to you, sir. 25 MEMBER GRUBBS: It's all in here.	Page 188 1 it's working for some people, it should work for all 2 people with respect to the coding. When this occurred 3 three times in the exact same pattern, it rules out 4 other types of activity. It just rules it out. 5 So from my perspective, a good place to investigate 6 what is the coding, lines of coding, and who's doing the 7 coding because this appears very selective and the part 8 that really is troubling is that none of these records 9 showed up on my screen at the State Board. And I had 10 two of your representatives, Francis Watson was one of 11 them, tell me you have no record of ever doing this and 12 you have to ask how a system can respond to me. Send me 13 emails. The same computer system then does not trigger 14 the delivery of an absentee ballot. 15 DR. JOHNSTON: It seems that there may be problems 16 with the electronic system in various -- in various 17 aspects of the elections in Georgia. 18 GREG KROHN: Okay. There may be, but there's also 19 problems with the programming that allowed this to 20 happen. 21 DR. JOHNSTON: Correct, the source code. 22 GREG KROHN: Yes. 23 MR. CHAIRMAN: Your backup documentation is 24 perfect, thank you. 25 MEMBER KING: If someone presents a confirmation to
Page 187 1 MR. CHAIRMAN: It is? Okay, I'm sorry. Yeah, 2 we'll -- 3 DR. JOHNSTON: Mr. Krohn, thank you so much. 4 MR. CHAIRMAN: Yeah. Yeah. 5 DR. JOHNSTON: You've really put the story 6 together. Cobb County has a history of having problems 7 with absentee by mail voters and it's not just your 8 election, that election, it's repeated elections. And 9 oftentimes it ends up that the problem is so significant 10 that a lawsuit is conveniently ready to be filed by ACLU 11 to extend the receipt of absentee ballots to Cobb County 12 because it has created such a problem for the absentee 13 by mail voters. 14 And in the 2020 election, Amber McReynolds with 15 Vote at Home was in charge of implementing absentee by 16 mail voting online portal is my understanding. And I'm 17 not sure how that method worked well or not so well in 18 the 2020 election, but you're one of thousands of people 19 who complained about absentee by mail voting. 20 GREG KROHN: May I make a suggestion? 21 DR. JOHNSTON: Certainly. 22 GREG KROHN: Having looked at this from my 23 perspective, this would require a software coding edit 24 and some investigation of the people that are actually 25 doing the coding. Are they manipulating it? Because if	Page 189 1 tell them that that's -- it's not accurate, it's kind of 2 (indiscernible due to microphone). 3 MR. CHAIRMAN: We have a motion to continue the 4 case. Is there a second? 5 MEMBER GRUBBS: Second. 6 MR. CHAIRMAN: We have a motion to second. Any 7 discussion? Hearing no discussion, all those in favor 8 signify by saying aye. Any opposition? Hearing no 9 opposition, so move the case to be continued. Thank 10 you, sir, for your investigation. The remaining cases, 11 unless somebody wants to pull one of those, have been 12 identified as possible letter of instruction. We will 13 vote on those en masse, unless somebody wants to pull 14 one of the cases. 15 SHIRLEY PHILLIPS: We have Spaulding County, 2025- 16 079 appearing on Zoom. 17 MR. CHAIRMAN: Spaulding County, yes. I'm going to 18 vote on these others, and then we'll get to Spaulding 19 County. SEB2024-096, Dougherty County, poll worker 20 conduct issue, voter intimidation; SEB2024-167, Richmond 21 County, photographs of ballots removed from ballot box; 22 SEB2024-185, Worth County, photograph taken of the 23 ballot scanner; SEB2025-030, Wheeler County, allowed 24 voters to vote prior to opening of the poll; 25 SEB2025-076, Brooks County, photographed ballot;

Page 190 1 SEB2025-088, Bulloch County, City of Statesboro, 2 restrictions on campaign activities. Is there anybody 3 in the audience here to speak on any of these cases? 4 Which case is yours, sir? 5 UNIDENTIFIED SPEAKER: Brooks County. 6 MR. CHAIRMAN: Brooks County. Okay. Is there 7 anybody else to speak on any of these cases? Did you 8 want to speak? No. You didn't want to speak, right? 9 She told me earlier she didn't want to speak. Let me go 10 through them again. So the rest of these we'll vote on. 11 SEB2024-096, SEB2024-167, SEB2024-185, SEB2025-030, and 12 SEB2025-088 have all been recommended for a letter of 13 instruction. Chair will entertain a motion on those. 14 MEMBER GRUBBS: Motion. 15 MR. CHAIRMAN: Is there a second? 16 MEMBER KING: Second. 17 MR. CHAIRMAN: We have a motion and a second. All 18 those in favor of issuing a letter of instruction on the 19 above-named cases signify by saying aye. Any 20 opposition? Hearing no opposition, so moved. 21 UNIDENTIFIED PUBLIC SPEAKER: Can I ask a question? 22 Does sending a letter mean that they can vote again and 23 everything's taken care of? 24 MR. CHAIRMAN: Yes. Yeah, the letter of 25 instruction is telling you that we've identified a code	Page 192 1 MR. CHAIRMAN: Ms. Slaughter, are you online? Ms. 2 Slaughter, are you online? 3 KIMBERLY SLAUGHTER: Yes, I'm online. 4 MR. CHAIRMAN: Okay. Would you like to make a 5 statement? 6 KIMBERLY SLAUGHTER: Yes. Can you hear me okay? 7 MR. CHAIRMAN: Yes. 8 KIMBERLY SLAUGHTER: Okay. Basically, my statement 9 is the same. I would just like to read to you what was 10 submitted. I'm sorry, hold on. I've had to bounce back 11 and forth between screens. Hold just a minute. Okay. 12 So, on October the 20th, Monday, 2025, I submitted to 13 the Secretary of State and State Election Board at 1:05 14 p.m. It was brought to my attention that a post had 15 been made on the SEB Community Hub Facebook page by a 16 voter who had included a picture of her ballot generated 17 on the BMD ballot marking device which violates OCGA 18 21-2-568.2 and OCGA 21-2-413(e). 19 The voter's name is Vicki N. Alley. The screenshot 20 of the post was attached in the email as well. As 21 required by law, I am reporting this finding. Ms. Alley 22 was followed by her county commissioner who informed her 23 that this was a violation. Ms. Alley immediately 24 removed her post and expressed that she was very sorry 25 for her action. And so that was my submission to you
Page 191 1 section that's been violated. Please don't do that 2 again. All right. We will hear SEB2025-079, Spaulding 3 County. It's tab number 31. Okay. Let's read it 4 first. 5 EXECUTIVE DIRECTOR MILLS: The Georgia Secretary of 6 State's office initiated this investigation based on the 7 correspondence received on October 20th, 2025 from Ms. 8 Kimberly Slaughter, Director, Spaulding County Board of 9 Elections and Registration. Ms. Spaulding informed the 10 Secretary of State that Ms. Vicki N. Alley posted a 11 photograph of her ballot and that it was generated on 12 the ballot marking device, BMD, she used to cast her 13 vote for the Public Service Commissioner, a potential 14 violation of said law. 15 MR. CHAIRMAN: The complainant is Kimberly 16 Slaughter, the respondent's Vicki Alley. The findings 17 is that Ms. Alley did take a photo of her ballot and 18 that she posted it on Facebook, so that was confirmed in 19 the investigation. Is Ms. Alley on here or is Ms. 20 Slaughter on here? 21 SEAN WHITE: We have Ms. Slaughter and Ms. Windman. 22 MR. CHAIRMAN: All right. Ms. Slaughter? Ms. 23 Slaughter, Ms. Windman, if you can hear us, please speak 24 up. We can't hear you. 25 (Appearing via Zoom.)	Page 193 1 all. 2 And I do believe that she has an understanding 3 proper signage was in place, but it was overlooked by 4 the voter. But she was sincerely sorry for her action. 5 MR. CHAIRMAN: Thank you. Any questions for Ms. 6 Slaughter? I think for consistency, we want to accept 7 that this is a letter of instruction or a letter of 8 reprimand, we've gone both ways. But the concerning 9 thing about this to me is she posted it on FaceBook, not 10 that she (indiscernible). 11 MEMBER KING: I make a motion to issue a letter of 12 instruction. 13 MR. CHAIRMAN: We have a motion to accept this as a 14 letter of instruction. Any further discussion? 15 MEMBER GHAZAL: I think the fact that the voter 16 wasn't unaware and took it down and expressed remorse 17 differentiates it from the cases where they thought it 18 was looking to -- I don't know what you call it -- file 19 a return. 20 MR. CHAIRMAN: We have a motion to second a letter 21 of instruction. All in favor signify by saying aye. 22 Any opposition? Hearing no opposition, so moved. A 23 letter of instruction will be issued. Thank you, Ms. 24 Slaughter. 25 Next on the agenda is SEB2025-076, Brooks County,

Page 194

1 photograph ballot. That is tab 30.

2 EXECUTIVE DIRECTOR MILLS: The Secretary of State's

3 office received a complaint alleging that a candidate

4 for mayor of Quitman, Georgia posted a photograph on his

5 Facebook page showing a ballot marking device screen

6 displaying his name with a checkmark beside it, Exhibit

7 1. This complaint was submitted on October 15th, 2025

8 and assigned to the investigations on October 16th,

9 2025.

10 MR. CHAIRMAN: Respondents are James Lawrence and

11 LaDonna McMillan Lawrence. The -- Yes, sir? Are you

12 Mr. Lawrence?

13 JAMES LAWRENCE: I am. My wife, I'm sorry she

14 couldn't make it. We actually had plans and I canceled

15 it because I didn't know the context of this until just

16 right now. I didn't know what the letter of instruction

17 was, so I figured I'd come and just give a statement.

18 MR. CHAIRMAN: We're much more important than the

19 plans you had.

20 EXECUTIVE DIRECTOR MILLS: So we do sincerely

21 apologize. There was no malice intent in that Facebook

22 post. I believe it took longer to get here than it

23 stayed online. So we do apologize, but since I'm here

24 I've learned a lot. This is my first time coming here

25 and I think you guys do a great job for our state. So

Page 195

1 thank you so much.

2 MR. CHAIRMAN: We should have had you up in public

3 comment.

4 JAMES LAWRENCE: I appreciate y'all.

5 MR. CHAIRMAN: We're going to invite you back to

6 speak tomorrow afternoon. Chair, will entertain a

7 motion.

8 MEMBER KING: I make a motion we issue a letter of

9 instruction.

10 MR. CHAIRMAN: Is there a second?

11 MEMBER GHAZAL: Second.

12 MR. CHAIRMAN: We have a motion and a second to

13 issue a letter of instruction. Any discussion?

14 MEMBER GHAZAL: Very briefly. I just want to

15 reiterate the importance of making sure that our

16 candidates are prepared. When folks -- when they

17 qualify to run for office, they should be given the sort

18 of information like this to help them avoid these little

19 pitfalls, so.

20 MEMBER GRUBBS: Mr. Chairman, I just -- you drove

21 all the way from Quitman; is that right?

22 JAMES LAWRENCE: Yes, ma'am.

23 MEMBER GRUBBS: That is a very long way. So thank

24 you for doing that, but also I want to say I know that

25 it had to be an innocent thing. Like a sense of pride

Page 196

1 to see your name on the ballot, to see that check mark.

2 And so thank you for stepping up to run as a candidate

3 because it's not an easy thing to do.

4 So regardless this was a whole learning process for

5 you, but thank you for being willing to serve the state

6 of Georgia.

7 MR. CHAIRMAN: Thank you. Did we vote on this one?

8 We have a motion and a second to issue a letter of

9 instruction. All those in favor signify by saying aye.

10 Any opposition? Hearing no opposition, so moved.

11 Letter of instruction. Thank you very much. You can go

12 back to Quitman. Safe travels.

13 We're going to go through quickly through the

14 violation cases. We have three of them to hear real

15 quick. We do have to be out of here by five o'clock

16 today, which means we'll probably wrap up at 4:40, Sean,

17 to give everybody time to --

18 SEAN WHITE: Finish by 5:00.

19 MR. CHAIRMAN: Finish by 5:00. Okay. First item

20 on the agenda is SEB2025-078, DeKalb County, voter

21 registration fraud.

22 EXECUTIVE DIRECTOR MILLS: The Secretary of State's

23 office opened an investigation after receiving a

24 complaint that reported an individual was registered at

25 an address where they did not live.

Page 197

1 MR. CHAIRMAN: The complaint is Torianna Moore and

2 the respondent is Eduardo Armando Jones. Are you Mr.

3 Jones?

4 EDUARDO JONES: Yes.

5 MR. CHAIRMAN: The findings is a potential

6 violation OCGA 21-2-216 Qualification of Electors, 21-

7 2-217 Rules for Determining Residents and 21-2-562

8 Fraudulent Entries. Please go ahead.

9 EDUARDO JONES: Yes, so I'm going to be completely

10 honest. Today I learned that 30 days after you moved

11 you were supposed to change your address. I had no idea

12 that that's something you were supposed to do. I was

13 always told you go to the polling locations that's on

14 your license. The address on my license is the address

15 me and Ms. Moore shared together.

16 So after learning about this the investigator

17 called me. I answered all the questions. I told him

18 exactly where I stayed during the years, during which

19 elections. I asked him so what would be my next

20 instructions? He said change my voter registration, get

21 my license changed. I did that. I'm registered to vote

22 in Henry County. My address on my license is in Henry

23 County now.

24 So now that I know I even when people tell me, oh

25 yeah, I'm going to drive to Cobb County because that's

Page 198

1 where my car is registered. No, wherever you live at is
2 where you go register, where you should be registered to
3 vote. Don't do it so you don't have to come sit in
4 meetings like this. So I'm big on advocating for those
5 instructions now.

6 MR. CHAIRMAN: We're going to do a witness poster
7 for you.

8 DR. JOHNSTON: Mr. Jones, would you do a public
9 service announcement for us?

10 EDUARDO JONES: I will. I've learned so --
11 listening, just like I've learned so much sitting here.
12 The gentleman that worked for Lockheed Martin with the
13 programming issue, I do data analysis. I'm fully aware
14 of it's one equals zero, it will send a different code
15 to whether it could be a code that says applicants over
16 70 will get a different programming and that programming
17 language could be corrupt somehow.

18 Elly, like I said, I do data analysis. I asked him
19 immediately, hey, do you need someone to work for you?
20 I can help you with doing that because that's what I do
21 for a living is data analytics.

22 MR. CHAIRMAN: How many times have you voted in
23 your life?

24 EDUARDO JONES: Four or five times. For
25 presidential elections, the first time I voted was for

Page 199

1 the Obama. I was in college.

2 MR. CHAIRMAN: So you've been voting since 2008?

3 EDUARDO JONES: Yes.

4 MR. CHAIRMAN: And you never had an issue before?

5 EDUARDO JONES: Never had an issue before.

6 Granted, she's my ex.

7 MR. CHAIRMAN: You can blame it on her. She's the
8 one that caused the problem. Last time I accused my
9 wife of something, it didn't go so well. It was last
10 night. Don't you tell me.

11 EDUARDO JONES: Until now, I never knew. I thought
12 one of the programs found me and I was like, oh, but
13 when you just said Torianna Moore, I was like, oh, that
14 makes more sense.

15 MR. CHAIRMAN: I asked my wife last night to remind
16 me of something today. She says, what? You got two
17 legs. Go write yourself a note.

18 MEMBER GRUBBS: So I think Dr. Johnston has a great
19 idea. If you would get with Sean and Sean, if you would
20 just do a little video as penance for voting in the
21 wrong location. Do a little video about your
22 experience, I think people do need to know how important
23 -- number one, how important voting is. How important
24 it is, just like with the gentleman from Quitman. Being
25 a candidate and seeing your name on a ballot and that

Page 200

1 checkmark by your name. Like I value who I am as an
2 American citizen that I'm going to run for office.

3 Or like you said, you know, the place where you're
4 registered to vote. Because that's so important because
5 you're determining your local officials. You're
6 determining your school board people that are going to
7 make decisions to affect your children. You're voting
8 for your city council person or your county commission
9 person. That's your community. And as they say, not to
10 talk about an organization, but all voting is local,
11 that really is a true statement.

12 And so it's so important to be voting where you're
13 registered, where you live, like you said.

14 MR. CHAIRMAN: I want to thank you for showing up
15 today. It makes a difference. We have this happen
16 occasionally. It's a very serious violation when you
17 don't vote where you live. And people will do that
18 occasionally. It's a very serious violation. But when
19 you show up and help this board understand how it
20 occurred, it hopefully makes a difference for people.
21 Any further questions for this gentlemen? Chair will
22 entertain a motion.

23 MEMBER KING: Mr. Chair, I make a motion we send a
24 letter of instruction so he'll have the details in
25 writing.

Page 201

1 MR. CHAIRMAN: We have a motion to send a letter of
2 instruction. Is there a second?

3 MEMBER GHAZAL: Second.

4 MR. CHAIRMAN: We have a motion and a second. All
5 those in favor signify by saying aye. Any opposition?
6 Hearing no opposition. Thank you, sir. Next item on
7 the agenda is SEB2025-077, Gwinnett County, felon voter.
8 Now, I think that this is incorrect. I think it's
9 actually Towns County, not Gwinnett County. It's shown
10 on the report here. Because when you read the report,
11 everything talks about Towns County, not Gwinnett
12 County. So the report is wrong. It's not a Gwinnett
13 County case. It's a Towns County case felon voter, so.

14 EXECUTIVE DIRECTOR MILLS: Would you like me to
15 read it?

16 MR. CHAIRMAN: Please.

17 EXECUTIVE DIRECTOR MILLS: The Georgia Secretary of
18 State's office initiated this investigation based on
19 correspondence received on October 16th, 2025, from the
20 Towns County Board of Elections and Registration. Ms.
21 Edwards informed the Secretary of State that Mr. Clifton
22 M. Spiegel, convicted felon, arrived at the Towns County
23 Civic Center with the intention to vote, a potential
24 violation of OCGA 21-2-216.

25 MR. CHAIRMAN: The complainant in this case is

Page 202

1 Towns County Supervisor of Elections, Rachel Edwards,
2 and the respondent is Clifton Michael Spiegel. Are you
3 Mr. Spiegel?

4 UNIDENTIFIED PUBLIC SPEAKER: Yes, sir.

5 MR. CHAIRMAN: All right. Please, identify
6 yourself for the court reporter, please.

7 CLIFTON SPIEGLE: Clifton Spiegel, the respondent?

8 MR. CHAIRMAN: Yes, you're the respondent.

9 CLIFTON SPIEGLE: So, after I became a felon, I
10 received a voter registration card in the mail, went
11 online, checked my status on there, which said I was
12 active, so I had questions about it. I showed up on
13 election day and presented myself as a felon and said,
14 hey, I got my card, my account says active. What's
15 going on? The lady walked away. This was in Gwinnett.

16 MR. CHAIRMAN: It was in Gwinnett?

17 CLIFTON SPIEGLE: It's kind of a two-part. So,
18 there was an election in 2020 in Gwinnett where I did
19 end up voting. As I showed up, had the question, they
20 made a phone call, came back with a piece of paper, said
21 sign this and you can vote, and I signed it and assumed
22 they knew what they were doing.

23 Later moved up to Towns County where I received
24 another voter registration card and I didn't even think
25 about it when I was leaving the library, which is

Page 203

1 basically in the same parking lot as the voter -- the
2 polling station there, when I ran into my neighbor and
3 he said, hey, I just voted, you should go vote. So, I
4 walked in.

5 And at that time I didn't think about presenting
6 myself as a felon first. But when they offered me, for
7 me to sign a non-felon affidavit, I said I cannot do
8 that because I am indeed a felon. I had a full
9 conversation with the Anna, the polling manager there,
10 where she informed me in better detail what was going
11 on. I said, all right. Well, I cannot vote. I am a
12 felon. Y'all have a blessed day. And now here I stand.

13 And I did check my account today, my voter page,
14 and it does list me as active, so I do not know what
15 that means.

16 MR. CHAIRMAN: So, it says that when you were
17 advised by Towns County that you're a felon, you
18 confirmed that you are a convicted felon and you
19 declined to complete the non-felon affidavit.

20 CLIFTON SPIEGLE: From my understanding, signing
21 that affidavit is saying that I am not a felon, so I
22 could not complete that.

23 MR. CHAIRMAN: So -- so Gwinnett County, did you --
24 did you tell them at Gwinnett County that you were a
25 felon too?

Page 204

1 CLIFTON SPIEGLE: I did. I walked in and said I'm
2 a felon. I was mailed my voter registration card. I
3 checked online, but I'm a felon. What does all of that
4 mean.

5 MR. CHAIRMAN: Did you vote in Gwinnett County?

6 CLIFTON SPIEGLE: I did.

7 MR. CHAIRMAN: Did they let you vote even though
8 you told them that?

9 CLIFTON SPIEGLE: I did -- they did.

10 MR. CHAIRMAN: Are you a first offender?

11 CLIFTON SPIEGLE: No, sir.

12 MR. CHAIRMAN: Okay.

13 MEMBER GHAZAL: Are you still under judicial
14 supervision?

15 CLIFTON SPIEGLE: Yes, ma'am.

16 MEMBER GHAZAL: Okay.

17 CLIFTON SPIEGLE: I'm still on probation. In fact,
18 being here today might probably violate me.

19 MR. CHAIRMAN: We're not going to tell anybody.

20 CLIFTON SPIEGLE: I appreciate that.

21 MR. CHAIRMAN: It doesn't matter that you're on
22 YouTube.

23 CLIFTON SPIEGLE: What's up, YouTube?

24 MEMBER KING: Do you remember registering to vote?
25 Did you do it before or after this crime was committed?

Page 205

1 CLIFTON SPIEGLE: I've been registered. I voted in
2 several elections before I was a felon.

3 MEMBER KING: Before. Okay. So you were already
4 on the list.

5 CLIFTON SPIEGLE: Yes, I've been voting since 2004.

6 DR. JOHNSTON: But you still (indiscernible)?

7 CLIFTON SPIEGLE: It shows active on the My Voter
8 Patch, which I pulled up sitting here today.

9 MR. CHAIRMAN: Did you change your license since
10 then?

11 CLIFTON SPIEGLE: I've changed my address, my
12 driver's license. I changed my address in the system up
13 to Towns County after I moved.

14 MR. CHAIRMAN: When was the last time you had a
15 driver's license?

16 CLIFTON SPIEGLE: I've got one now.

17 MR. CHAIRMAN: Did it automatically register you
18 then?

19 CLIFTON SPIEGLE: It might have.

20 MEMBER GHAZAL: Mr. Spieggle, was this a Georgia
21 offense or in a different state?

22 CLIFTON SPIEGLE: It was a Georgia offense, yes,
23 ma'am.

24 MEMBER GHAZAL: Okay. What state -- What county?
25 CLIFTON SPIEGLE: Clayton.

Page 206

1 MEMBER GHAZAL: Clayton.

2 MR. CHAIRMAN: So you changed -- You registered

3 your driver's license when you moved to Clayton.

4 CLIFTON SPIEGLE: I've never lived in Clayton. I

5 just worked in Clayton.

6 MR. CHAIRMAN: Oh, Towns County.

7 CLIFTON SPIEGLE: Yes.

8 MR. CHAIRMAN: So you re-registered then when you

9 got your driver's license. They automatically register

10 you. We've had this happen before.

11 MEMBER KING: When you did vote, were you -- Okay.

12 The first time they gave you a document to allow you to

13 vote. Do you remember what that document was called?

14 CLIFTON SPIEGLE: I do not. But if it had been

15 presented to me as the same thing in Towns County, I

16 said, no, I'm a felon. I can't do that.

17 MEMBER KING: And then you didn't vote once. You

18 told them that you can't do it in Towns County.

19 CLIFTON SPIEGLE: Yes, ma'am. I did not vote.

20 MEMBER KING: Okay.

21 DR. JOHNSTON: In Gwinnett?

22 CLIFTON SPIEGLE: Yes, ma'am.

23 MR. CHAIRMAN: But you told them you were a felon

24 in Gwinnett County, right?

25 EXECUTIVE DIRECTOR MILLS: I walked in the door

Page 207

1 saying, here's -- I've got a question. I'm a felon.

2 You gave me -- I've been mailed my voter registration

3 card, and I've checked online. It says I'm active.

4 What does that mean.

5 MR. CHAIRMAN: Now why -- You knew that you were a

6 felon and you weren't allowed to vote. They let you

7 vote in Gwinnett County, then you went to Towns County.

8 Why did you try and vote again?

9 CLIFTON SPIEGLE: The results of the first time, I

10 didn't even think about it. See, I was walking out of

11 the library, ran across my neighbor who was like, hey, I

12 just voted. You should go vote. I didn't even think

13 anything of it because of the results of the first time.

14 MR. CHAIRMAN: Any further questions?

15 MEMBER GHAZAL: I would actually move for a

16 continuance because the county needs -- we need to find

17 out where the failure was because he should have been

18 flagged as a felon. So I would actually move to

19 continue this case for a further investigation.

20 MR. CHAIRMAN: Yeah, I would suggest if we continue

21 this that you attend by Zoom next time so that you don't

22 violate any . . .

23 CLIFTON SPIEGLE: Well, no it's for the potential

24 charge. It's not for showing up anywhere. I'm free to

25 go anywhere in the state, but any potential charge is

Page 208

1 what's going to violate me.

2 DR. JOHNSTON: I would like to add Gwinnett as a

3 respondent to this case.

4 MR. CHAIRMAN: Okay. Yeah, it's a little confusing

5 to me. So we have a motion to continue this case. Is

6 there a second?

7 MEMBER GHAZAL: Second.

8 MR. CHAIRMAN: We have a motion and a second. All

9 those in favor signify by saying aye. Any opposition?

10 Hearing no opposition. So we're going to do a little

11 bit of work on this case and add Gwinnett as a

12 respondent, Mr. Executive Director.

13 MEMBER KING: Maybe send it to the Attorney

14 General's office.

15 MEMBER GHAZAL: We would have to make a referral to

16 a district attorney if we chose to do that. We're not

17 doing that at this time.

18 CLIFTON SPIEGLE: I was just looking at the bottom

19 of the list and saying OCGA 21-2-216 for a potential

20 violation.

21 MEMBER GHAZAL: We are not at this time making

22 (indiscernible).

23 CLIFTON SPIEGLE: And at no point was I trying to

24 do anything -- I never presented myself as anything but

25 a felon and I wasn't trying to do anything malicious

Page 209

1 with this. I had a question and that's where it ended

2 up. And I stand before you as a felon today because

3 people in a government I worked for did not do their

4 jobs and their due diligence. Thank you all for doing

5 your jobs and your due diligence even though it was an

6 hour and a half drive.

7 MR. CHAIRMAN: Yeah, but you're going back to the

8 mountains. I don't feel sorry for you.

9 MEMBER KING: I know, right.

10 CLIFTON SPIEGLE: There's a little restaurant in

11 Hiawassee called Marina Station.

12 MR. CHAIRMAN: I love Hiawassee.

13 MEMBER KING: What's the name of it?

14 CLIFTON SPIEGLE: Marion Station.

15 MEMBER KING: I've been there.

16 MR. CHAIRMAN: I love Hiawassee.

17 CLIFTON SPIEGLE: Do you all need anything else

18 today? Y'all have a blessed day.

19 MR. CHAIRMAN: Last case we're going to hear today

20 and then the rest of y'all can leave, SEB2024-028

21 Cherokee County, Union Hill Community Center issues.

22 It's tab 35.

23 EXECUTIVE DIRECTOR MILLS: The Georgia Secretary of

24 State opened this investigation following a complaint

25 received from the complainant, Ann Dover, Director of

Page 210

1 Cherokee County Elections Office regarding the
 2 respondent Susan Chapman wearing a T-shirt that had a
 3 picture and name of Joe Biden on it inside the polling
 4 location and she refused to cover the T-shirt when asked
 5 by the poll workers.
 6 This is a potential violation of OCGA
 7 21-2-414(a)123 restrictions on campaign activities.
 8 It's also a potential violation of OCGA
 9 21-2-567(a)(1)(b) intimidation of electors.
 10 MR. CHAIRMAN: The respondent is Susan Chapman. Is
 11 Ms. Chapman here? Ms. Chapman? Ms. Chapman? No. And
 12 the complainant is Ms. Dover. Is there any questions
 13 from the complainant here from Cherokee County? I mean
 14 the case was pretty straightforward to me. Once again,
 15 it's somebody being belligerent in a polling location,
 16 which the chairman does not like.
 17 The investigation found that she had a picture of
 18 Joe Biden's picture, wouldn't cover it up, got mouthy,
 19 police were called on this individual which always
 20 concerns me. So, chair would you entertain a motion.
 21 EXECUTIVE DIRECTOR MILLS: Is this not the case
 22 that was sent to the AG, the AG then came back and
 23 presented it and said they removed the fine and then
 24 y'all voted to continue it because she brought up --
 25 y'all brought up the MAGA hat. I just want to make sure

Page 211

1 it's not the same one because -- Yes, I think this is.
 2 SHERRIE PHILLIPS: I've got underneath
 3 (indiscernible) prior cases.
 4 EXECUTIVE DIRECTOR MILLS: Okay. So this is the
 5 case that the board sent to the AG's office. The AG
 6 then brought it back to the board and said recommended
 7 no fine, I think.
 8 MR. CHAIRMAN: Well, I think they recommended a
 9 fine and she wouldn't accept anything. She wouldn't pay
 10 anything.
 11 EXECUTIVE DIRECTOR MILLS: Either way, I just want
 12 to make sure the board is clear what we're dealing with
 13 here. It was brought back to the board. This is not a
 14 fresh brand new case.
 15 MEMBER GHAZAL: The reason that there was a concern
 16 by the AG, if I recall correctly, and they may be -- is
 17 the attorney general on the line?
 18 MR. CHAIRMAN: No, they're not.
 19 MEMBER GHAZAL: I think if I recall correctly, it
 20 was about consistency because they provided numerous
 21 other cases with similar fact patterns where there was
 22 no fine levied.
 23 MR. CHAIRMAN: Yeah, you're right.
 24 MEMBER GHAZAL: And that was -- and but at some
 25 point I believe that they requested that we simply refer

Page 212

1 it back. Don't they intend to take it to an
 2 administrative law judge?
 3 MR. CHAIRMAN: Yeah.
 4 MEMBER GHAZAL: So I move that we refer the case to
 5 the Attorney General's office for disposition.
 6 MR. CHAIRMAN: The problem I have with this one is
 7 the police had to be called on this individual, which
 8 differentiates me from other cases. So anytime you have
 9 to call police it's . . .
 10 MEMBER GHAZAL: But they came back and requested
 11 that we refer it -- recommended a re-referral.
 12 MR. CHAIRMAN: Got it. All right. Do we have a
 13 motion?
 14 MEMBER GHAZAL: Yes.
 15 MR. CHAIRMAN: Would you make it again please?
 16 MEMBER GHAZAL: I move that we refer this case to
 17 the Attorney General's office for disposition.
 18 MR. CHAIRMAN: Do we have a motion to second?
 19 MEMBER KING: Second.
 20 MR. CHAIRMAN: We have a motion to second. Any
 21 discussion? All those in favor signify by saying aye.
 22 Any opposition? Hearing no opposition so moved. That
 23 concludes our cases for today. Without dissent we will
 24 break for a five to seven minute break, and be back here
 25 at 3:35. How about that? 3:35.

Page 213

1 (Whereupon, a break was taken during the
 2 proceeding.)
 3 MR. CHAIRMAN: Welcome back. We'll call the State
 4 Election Board meeting back into session. We have one
 5 quick thing. The Chairman was too quick on dismissing
 6 some cases. We have a young lady here who wanted to
 7 speak on one of the cases. She was the complainant on
 8 SEB2025-044 Clayton County, polling place change issue.
 9 The Board did vote to dismiss that case, but she would
 10 like to present to the Board. So please come forward
 11 and speak and identify yourself for our court reporter
 12 please.
 13 VALERIE RACHEL: Thank you, Mr. Chairman. Thank
 14 you to the Board. My name is Valerie Rachel. I am from
 15 the city of Riverdale, Georgia. I would like -- I don't
 16 have a summary from the Secretary of State, so I was not
 17 aware of where the case stood or what happened. I sent
 18 an email, a letter yesterday to the Board detailing what
 19 I thought would have maybe been in the summary. I
 20 didn't know that it is issued from the Secretary of
 21 State.
 22 One thing I would like to definitely point out is
 23 the conflict of interest. The election supervisor for
 24 the city of Riverdale is also the city clerk. She was
 25 just nominated as the interim city manager and she

Page 214 1 received an additional \$5,169 per pay period for being 2 the interim city manager. We had a city manager during 3 the election. Immediately after the election they 4 terminated the city manager and made the city clerk and 5 the election supervisor the city manager. 6 They also back paid the city manager from January 7 to current to get the money that she would have received 8 being the manager of the city. So she's the city 9 manager, she's the city clerk and she's the election 10 supervisor. I believe that is a conflict of interest. 11 And when the gentleman was speaking from Lockheed Martin 12 about the codes and the machines, I definitely 13 experienced when I went to vote during the runoff and 14 the general election, the machines went down. 15 Ms. Vaughn, which is the election supervisor, the 16 city clerk and the interim city manager stated that she 17 was reaching out to IIT. Listening to the gentleman 18 with Lockheed Martin, those are fairly new machines. We 19 asked during a council meeting the year prior if the 20 city of Riverdale would allow Clayton County to run the 21 elections. They said no. It would only cost Clayton 22 County about 30,000 to run the city of Riverdale 23 elections. 24 The city of Riverdale, which they're not breaking 25 the law, but it was almost 100,000 plus spent on	Page 216 1 were that the city of Riverdale operates under a charge 2 that legally makes them responsible for conducting its 3 own elections. Therefore, all polling locations for 4 municipal elections are designated by the city and the 5 county election officials are responsible for selecting 6 polling locations for county. So that's the reason they 7 vote in two different places. 8 VALERIE RACHEL: Yes, sir. 9 MR. CHAIRMAN: So that complaint was 10 unsubstantiated because they're allowed to do that, 11 okay? That's -- the board voted on that. The second 12 one was that there was a hand counting of ballots which 13 raised concern about accuracy and fairness. The 14 complainant made the complaint based on chatter she 15 heard at a prior city council meeting. Investigation 16 revealed the city of Riverdale purchased the 17 state-recommended voting machines that have been used 18 since 2023 and it went on to detail that. 19 So that also was unsubstantiated that they were 20 actually counting ballots by hand as was done for the 21 machines. So that's what we had to vote on today. And 22 that was the result of the investigation. If there's a 23 conflict of interest on them holding different 24 positions, then that's a new complaint that needs to be 25 filed that will be investigated and the board would
Page 215 1 machines. So the conflict of interest, I would just 2 kindly ask the board is it something you would consider 3 looking into further because they have a history. My 4 case is not the first case that has been escalated 5 regarding voter irregularities and the conflict of 6 interest there. And the same person that was involved 7 in those previous cases is still present at the city of 8 Riverdale. 9 MR. CHAIRMAN: All right. So the fact that she is 10 holding three different positions, the board didn't 11 consider that because it wasn't part of the complaint. 12 So that would have to be a separate complaint that would 13 have to be investigated. The board considered 14 complaints that the city of Riverdale required to cast 15 ballots in two separate locations, one to the city of 16 Riverdale polling site for city council elections and 17 another at the county designated polling place for 18 special elections or addendums. 19 And the second part of the complaint was that the 20 city of Riverdale secretary was hand counting ballots. 21 So the results of the investigation, and those are the 22 two things this board considered, the two complaints, 23 okay? 24 VALERIE RACHEL: Yes, sir. 25 MR. CHAIRMAN: And the results of the investigation	Page 217 1 consider that as a separate complaint, so. 2 VALERIE RACHEL: Yes, sir. And I wasn't aware of 3 the previous -- or what the Secretary of State 4 initially, you know, I just wasn't aware. And the hand 5 counting, it was some hand counting of some of the 6 ballots. And I don't know if you had an opportunity to 7 read my letter from yesterday, and it did address the 8 counting and how it was done. I wasn't there because I 9 was a candidate, so I wasn't allowed legally to be there 10 but my poll watcher did submit a detailed letter to the 11 investigator from the Secretary of State. I think it 12 was Mr. Michael Daughtery [ph]. 13 MR. CHAIRMAN: Yeah. I think there's some 14 allegations in your letter. The absentee provisional 15 ballot concerns, it also is a separate complaint -- 16 VALERIE RACHEL: Yes, sir. 17 MR. CHAIRMAN: -- from the hand counting of 18 ballots. The provisional ballots not being in the right 19 district, that's also different from what we considered 20 today. So, you know, I think that we'll take this 21 letter, Mr. Executive Director, and look at it, the 22 letter she submitted yesterday. 23 MS. HOPE: Did you submit it to -- 24 MR. CHAIRMAN: It's in the file. It's in the file. 25 MS. HOPE: Oh, okay.

Page 218 1 VALERIE RACHEL: Yes ma'am. 2 MR. CHAIRMAN: And see if there are additional 3 complaints that need to be made based on her letter 4 yesterday, okay? 5 VALERIE RACHEL: Yes, sir. 6 MR. CHAIRMAN: Those are a little bit different 7 than what this board had to view. 8 VALERIE RACHEL: Yes, sir. And I was lost on it 9 too. So I really didn't know -- 10 MR. CHAIRMAN: Okay. 11 VALERIE RACHEL: -- and that was the reason I did 12 come. I think I had mentioned to Ms. Sherrie that I 13 would watch it online. But I wanted to be here so that 14 I could address the board. 15 MR. CHAIRMAN: Well, I'm glad you showed up, 16 because if there are other complaints, then we need to 17 investigate those too. So I'm glad you showed up. 18 VALERIE RACHEL: Thank you. I appreciate you for 19 allowing me to speak and I know that you have to leave, 20 so thank you. 21 MR. CHAIRMAN: We need to record these good 22 comments and play them tomorrow during the public 23 comments. Every time somebody says something nasty 24 we're going to play one of these. 25 VALERIE RACHEL: No, because you guys have been	Page 220 1 MR. CHAIRMAN: Thank you. All right. Back to the 2 agenda. You want to do public comments now? 3 MEMBER GRUBBS: Anything to avoid the rules, huh, 4 Mr. Chairman. 5 MR. CHAIRMAN: Come on. The next item on the 6 agenda is a petition for rule making, consideration of 7 possible final adoption of petitions submitted by Dr. 8 Janice Johnston regarding numbered list of voters 9 propose amendments to Rule 183-1-12-.02 definitions, 10 Rule 183-1-112 -- I mean, -12-.11 subsection 2 subject 11 to A conducting elections. Dr. Johnston? 12 DR. JOHNSTON: Would you like to make -- would you 13 like a review? 14 MR. CHAIRMAN: I think for the benefit of the 15 audience -- 16 DR. JOHNSTON: Would you like a sample? 17 MR. CHAIRMAN: -- for the benefit of the audience 18 you may want to just go over the petition again please. 19 If we can limit you to 15 minutes, please. If you'd set 20 the clock for 15 minutes and I'll turn this around so 21 Dr. Johnston can see it. 22 DR. JOHNSTON: Thank you, Chairman Fervier. On May 23 19th, the primary election we recently held, early in 24 the morning I received a phone call from DeKalb County 25 that reported poll pads were not working at Linwood
Page 219 1 more than helpful. Anytime that I've reached out from 2 day one, Ms. Hope has always, always, even when I really 3 didn't know, but I just wasn't aware of the summary from 4 the Secretary of State. 5 MEMBER KING: Now she would be listed as the 6 complainant on this view? 7 MR. CHAIRMAN: Yes. Yes. 8 MEMBER KING: Okay. 9 VALERIE RACHEL: So I'll receive something in the 10 mail? 11 MR. CHAIRMAN: You'll get notified. You'll get 12 contacted by an investigator. 13 VALERIE RACHEL: Thank you so much. I appreciate 14 you. Thank you. You have an amazing day. 15 MEMBER GRUBBS: And don't hesitate, our emails are 16 on the website. Don't hesitate to reach out and, you 17 know, if you have any questions or if there's anything 18 that we can do. For me, personally I don't know about 19 the rest of these people. Kidding. Everybody's very 20 helpful and very willing to answer questions and that 21 kind of thing. I try to always email people back. So 22 don't hesitate to reach out. 23 VALERIE RACHEL: Thank you. I will be looking for 24 my letter and thank you. I cannot thank you enough. 25 You all have an amazing day. Thank you.	Page 221 1 Park. 2 Following that call, another call came in that 3 Gwinnett reported a poll pad problem that was corrected 4 in about an hour according to sources. But by the 5 afternoon Gwinnett was having other poll pad problems. 6 Poll pads were not syncing with Garvis. Later in the 7 morning on May 19th, there were reports of e-poll pad 8 problems at Fulton County. Party ballot totals not 9 registering which ballot was being pulled. 10 Following that call, another call was received by 11 Cobb County that reported multiple e-poll pad problems 12 in many locations in Cobb County. Poll pads displayed 13 for voter resulted in a report of no ballot found. 29 14 polling places were affected. 29. 34 precincts 15 affected. 61 poll pads were affected. 16 17 There were reports of problems with poll pads, 18 electronic poll books in Chatham County, White County, 19 Houston County, Grady County, Franklin County, and 20 Laurens County and those are the ones that I know of. 21 The response to to some of these problems included 22 pulling out the emergency numbered voter lists because 23 the poll pads were not working. 24 These -- these phone calls only confirmed the need 25 to have a papered numbered list of voters. Sean, next

Page 222 1 slide please. 2 MR. CHAIRMAN: Oh, boy. 3 DR. JOHNSTON: Oh, boy. Next slide. Numbered list 4 of voters. Here's the definition in the code book. One 5 or more sheets of uniform size containing consecutively 6 numbered blank spaces for the insertion of voters names 7 at the time of and in the order of receiving ballots or 8 number slips. Governing admissions to the voting 9 machines. Next slide. Oh, here you go. There's a 10 certified voter list, a numbered list of voters, photo 11 ID. 12 Next slide. Here's an actual photo of a numbered 13 list of voters that all of the board has in their hands 14 now. Next slide. Here's an old numbered list of 15 voters. Same thing. These forms are produced by the 16 Secretary of State. Next slide. Here's Georgia law 17 that confirms that a numbered list of voters is 18 required. One, two, three, four, five, six, seven, 19 eight -- Next slide -- nine, 10, 11, 12 -- Next slide -- 20 13, 14, 15, and a state election board rule. Next 21 slide. 22 The petition that I'm submitting for rule changes 23 involves two SEB rules. One rule is simply the 24 definitions section of 183.1.1202 and in SEB rule 25 183.1.12.109.2(a) conducting elections. Next slide.	Page 224 1 The cost would just simply be the cost of some 2 paper and pens and the clerk signing in the voters would 3 keep their numbered list of voters whether it was early 4 voting or election day voting. Next slide. That's all. 5 Thank you very much. Any questions? 6 MR. CHAIRMAN: I do have some questions. Oh, first 7 of all, I don't know why -- 8 DR. JOHNSTON: They may -- they may look like 9 they're under 18, but. 10 MR. CHAIRMAN: Why -- why is my name the only board 11 member on that list? I have a question. 12 DR. JOHNSTON: Look closely. Do you see any 13 familiar names? 14 MR. CHAIRMAN: About this list, so is a separate 15 list to be maintained for regular voters, certified FT 16 voters, and rejected FT voters? Because you have to 17 check this box up here. 18 DR. JOHNSTON: This is the Secretary of State's 19 form. 20 MR. CHAIRMAN: Right. But this is the one you're - 21 - this is the -- we have to keep -- does each -- does 22 each poll pad have to you have a different list than for 23 each one of those identified voters? 24 DR. JOHNSTON: So these are to be used for 25 in-person voting and if -- if you wanted to
Page 223 1 Definitions is just a repeat of the definitions found in 2 the code in the OCGA code book. Numbered list of voters 3 means one or more sheets of uniform size containing 4 consecutively numbered blank spaces for the insertion of 5 voters names at the time of and in the order of 6 receiving your ballots. 7 Next slide. This is the same thing and as you see 8 it in the whole list of definitions. Next slide. 9 Numbered list of voters in conducting elections. In red 10 is the change. The voters name shall then be recorded 11 in ink and entered on the appropriate numbered list of 12 voters. Numbered list of voters means one or more 13 sheets of uniform size containing consecutively numbered 14 blank spaces for the insertion of voters names at the 15 time of and in the order of receiving their ballots. 16 Next slide. Next slide. Next slide. 17 Numbered list of voters is so important. It's one 18 of the one of the election documents that goes to the 19 superintendent and the clerk of the court. Next slide. 20 Next slide. Cost for a numbered list of voters is not 21 great. This simply paper forms that are already 22 produced they're already actually in the poll manager's 23 manual. They're already that nothing new needs to be 24 created although I might put more -- more lines on a 25 piece of paper but the form is already there.	Page 225 1 differentiate early in-person voting, which is 2 technically absentee one might check. But it'd probably 3 be best that the Secretary of State would amend this so 4 it'd be clear that it's an early voting list, early vote 5 in person versus an election day list. And that's just 6 more for identification purposes or audit purposes that 7 you don't get confused and accumulate a lot of numbered 8 list of voters. That's one of the different aspects of 9 the voting. 10 MR. CHAIRMAN: That's what I think these 11 alterations to this because -- 12 DR. JOHNSTON: Send a memo to the Secretary of 13 State. 14 MR. CHAIRMAN: I mean, I really do because it -- 15 that means it had to have three lists per -- and will 16 one of these be at every single poll pad then? 17 DR. JOHNSTON: I think -- I think I would leave 18 that up to the election directors to make that decision. 19 I've seen some polling places where actually one person 20 checks every voter in. They're not very busy and they 21 do that first and then they funnel them to the different 22 poll pads. I've also seen where everybody just comes 23 into a clerk in their poll pad and the list could be 24 kept at each place. I think I have full confidence that 25 election directors can make those decisions.

Page 226 1 MR. CHAIRMAN: Well, how would you do that because 2 -- 3 (Indiscernible unidentified public comment 4 speaker). 5 MR. CHAIRMAN: -- Well that's what I'm saying it 6 wouldn't be sequential because every poll pad if you 7 just had your poll pad you know one through 50 and then 8 one through 50 and then one through 50. 9 DR. JOHNSTON: It will not, but it will be the -- 10 it will be consequential in that it's the date and the 11 location and the voting site. So that will be a 12 cumulative. 13 MS. DOVER: Well, a person could have like 50, one 14 through 50 and the next one have 100. 15 MR. CHAIRMAN: Yeah. Yeah. That's -- that's my 16 question is it -- 17 MEMBER KING: Again, I think it's being out of 18 order kind of helps with protecting the voter's privacy. 19 Yeah, the privacy. 20 DR. JOHNSTON: But what -- but what is -- what is 21 so valuable is to have the contemporaneous collection, 22 and an indelible election document to refer back to when 23 the poll pad doesn't work, when the electronic poll book 24 breaks down, when a glitch happens, when it goes blank, 25 when it quits syncing and you're not sure if they're	Page 228 1 efficient with that to keep your separate ballots and 2 lists. But when you're -- when you're having your 3 primary everybody's coming in to vote also, it's a -- 4 it's a list to be kept for the day, so. That's a good 5 organizational thought. 6 UNIDENTIFIED PUBLIC SPEAKER: Do those things need 7 to be in the rule, how to do it? 8 DR. JOHNSTON: No. 9 MEMBER GHAZAL: Mr. Chairman, we accepted -- we 10 accepted comments this morning on the rules. So I would 11 -- I would suggest very, very respectfully that -- that 12 this is a this is a conversation of the board and if we 13 do have questions of the of county members, that we 14 should be able to do that. I just want to -- I do think 15 that this is -- this can't be used in this form for 16 precisely the reasons that -- that are that have been 17 mentioned. The -- the Secretary of State would be 18 required to create new forms. 19 There's nothing in the rule that mandates separate 20 lists be maintained. So I think that would be up to the 21 county the to -- to make that determination. There's 22 also nothing in the -- in the rule that would -- that 23 would dictate how each board would choose to use this 24 list. So it -- there's nothing in either the law or the 25 -- or the rule that would mandate that this that these
Page 227 1 actually being registered into Garvis and collected. 2 This will be your paper document to refer back to 3 if there's an audit, if there's a forensic audit, if 4 there are the numbered voters doesn't match the number 5 of ballots. This is the document. Now will it be 6 perfect? No. Someone will forget to write a name down 7 but it but it is the paper document to go back to. It's 8 the thing you can go to if the poll pad file is lost. 9 If the poll pad file is -- is not produced in a timely 10 way or ever which is apparently a chronic problem these 11 days. 12 We're promised to have a numbered voter list a day 13 or two after the election. That's not good enough and 14 sometimes it's two or three weeks after election perhaps 15 and maybe, you know, better or you get it faster. 16 MS. DOVER: Also, with that paper number list of 17 voters, you got a primary, you're going to have a 18 democratic list of voters, a republican and a 19 nonpartisan. So you're going to have to have three. Is 20 that how you're -- 21 DR. JOHNSTON: Correct. Well, that -- that would 22 be efficient to have that for -- for record keeping. 23 MS. DOVER: That's the file that I have. You're 24 talking about a numbered list of voters. 25 DR. JOHNSTON: If -- Right. If you wanted to be	Page 229 1 handwritten lists be used for certification, if a board 2 chose to do that they could -- they could do so. 3 And I -- I happen to agree with Dr. Johnston that 4 having a backup as long as counties as they are 5 implementing this are doing it in such a way that 6 doesn't create a backlog and a choke point in um 7 precincts especially. So I -- I intend to support this 8 rule. 9 MR. CHAIRMAN: We need to quit right there. 10 MEMBER KING: I'll make a motion right now. 11 MR. CHAIRMAN: Are there -- any are there any other 12 questions for Dr. Johnston? Any other comments? 13 MEMBER GHAZAL: I wanted to thank Dr. Johnston for 14 -- for taking the -- our discussion into account and -- 15 and making adjustments to the rule. 16 MR. CHAIRMAN: The Chair will entertain a motion. 17 MEMBER KING: Mr. Chair, I make a motion that we 18 pass -- adopt this rule -- the numbered list rule. 19 MEMBER GRUBBS: I second. 20 MR. CHAIRMAN: The -- the first rule, or the second 21 rule, or both rules? You're just doing the first rule 22 now, correct? You do both of them? You have two rules 23 here. 24 MEMBER GHAZAL: It's the definition and then the 25 rule.

Page 230

1 MEMBER KING: Okay. So I make a motion that we
2 adopt the -- both rules in regards to the numbered list.

3 MR. CHAIRMAN: We have a -- we have a motion to
4 adopt rule number one -- or amendment to rule number
5 183-1-12-.02 definitions and rule number 183-1-12-.11
6 subsection 2 subsection A conducting elections. Is
7 there a second?

8 MEMBER GRUBBS: Second.

9 MR. CHAIRMAN: We have a motion and second. Any
10 discussion? Hearing no discussion, all those in favor
11 signify by saying aye. Any opposition? Motion carries.
12 Thank you.

13 Was there a motion to move Member Grubbs petitions
14 to tomorrow?

15 MEMBER GRUBBS: I'm going to cry.

16 MR. CHAIRMAN: We're just -- we're just teasing.
17 Sorry. You're not teasing? The next item on the agenda
18 is rule making petitions proposed rules by Member
19 Salleigh Grubbs. The first item of the petition
20 submitted by Member Salleigh Grubbs temporary rule
21 proposed rule 183-1-15-.02 definition of vote. Member
22 Grubbs.

23 MEMBER GRUBBS: Okay. This was brought up at the
24 last meeting. And I did packets just so everybody out
25 there knows I did packets for the board. And what I did

Page 231

1 is I have the proposed rule amendments. These are the
2 same ones that I presented at the last meeting, and that
3 printed in landscape. And then what I did is -- you
4 know, the format is so important -- and then I did a
5 second set and I did individual voting blocks. Because
6 this actually is their amendments to a number of
7 different things.

8 So if we would look at Exhibit 1, the red font is
9 the temporary rule for congressional district 13. The
10 blue font would be a permanent rule, and then the
11 underlined text represents additions. So at the first
12 section in Exhibit 1 183-1-15-.02 definition of a vote.
13 Now remember, I did present those at the last meeting,
14 but did not call for a vote because I wanted the entire
15 board's input in this and did not want to -- didn't want
16 to have anything skewed. I wanted us all to participate
17 in this.

18 MR. CHAIRMAN: Can I clarify one thing?

19 MEMBER GRUBBS: Sure.

20 MR. CHAIRMAN: What's the green font?

21 MEMBER GRUBBS: The green font is a little bit of
22 an edit since last week, just clarifying a couple of
23 things based on input I received.

24 MEMBER KING: So the blue is what we're voting on?

25 MEMBER GRUBBS: The blue is would be a permanent

Page 232

1 rule change, and we would be voting on that. The green
2 is calling your attention to the fact that that is a
3 little bit of a clarification addition from the last
4 meeting. And then the red font is a temporary rule for
5 congressional 13. And just so everyone here knows I
6 feel like this is particularly important given the
7 letter that was sent by the Secretary of State at three
8 o'clock yesterday by Blake Evans concerning the
9 Congressional 13 race. So anyway we'll -- we'll go
10 ahead and get started.

11 On the left hand side you'll see where it says
12 Amendment A, tabulate from paper ballot not the image.
13 So and, Mr. Chairman, if -- if it's okay -- I mean, do
14 you want me to go through all of it first or can we just
15 go through and take votes as we go? I would prefer to
16 go through and take votes as we go.

17 MR. CHAIRMAN: On -- take votes on what?

18 MEMBER GRUBBS: On the verbiage that's changed like
19 in blue or red. See, have you got this one, that has
20 the box on the side? No, it's the other one. It's that
21 one on that first page on the left hand side you'll see
22 the box.

23 MR. CHAIRMAN: Okay.

24 MEMBER GRUBBS: Okay. So in subparagraph two for
25 optical voting systems, it says, that and this would be

Page 233

1 a permanent rule change, a vote cast -- and it's
2 defining the vote -- a vote cast on an optical scan
3 ballot shall be detected and tabulated directly from the
4 original paper ballot and not an electronic copy or
5 image of the ballot. So if agreeable, I'd like to go
6 ahead and vote on that verbiage.

7 MEMBER GHAZAL: Not to be . . .

8 MR. CHAIRMAN: I don't think we can vote on an
9 individual -- I mean, there's a lot of changes in --

10 MEMBER GRUBBS: It is A through Z. There are 26.

11 MR. CHAIRMAN: A through what? I think we have to
12 vote on the entire rule, not --

13 MEMBER GRUBBS: Well, it's not one.

14 MR. CHAIRMAN: I'm really confused.

15 MEMBER GRUBBS: I mean, it's -- this is -- this is
16 one rule with multiple different changes in it. I mean,
17 I think -- I think it's within the discretion of the
18 board to take it on each individual item.

19 MEMBER GHAZAL: Is -- is it severable?

20 MEMBER GRUBBS: Well, I think definitely defining
21 what a vote is is severable.

22 MEMBER KING: So I agree that the SOS is wanting to
23 scan image the copies of it. I totally agree with you
24 on that. But we -- I don't think we've ever voted in
25 pieces like that. It was only -- it was all one rule.

Page 234

1 MR. CHAIRMAN: Which is what we just did with Dr.
2 Johnston's, which had several different places where
3 there are changes made. We didn't vote on individual
4 which --

5 MEMBER GRUBBS: I mean, it's not one rule. It's
6 subparts under that. I mean, 183-1-15.02 subparagraph 2
7 is an individual rule.

8 MEMBER KING: So how many total rules do you have,
9 so I can make sure?

10 MEMBER GRUBBS: It's A through Z, 26.

11 MEMBER KING: 26 rules.

12 MR. CHAIRMAN: Well and some of them are temporary
13 and some of them are permanent --

14 MEMBER GRUBBS: Correct.

15 MR. CHAIRMAN: -- and some of them are -- I mean,
16 then the greens changes from the last time we saw it and
17 it's just --

18 MEMBER GRUBBS: Because I'll listen to the input of
19 people that had commentary on it.

20 MR. CHAIRMAN: I understand. And what's the blue
21 underlined in red?

22 MEMBER GRUBBS: That's me and my word processing
23 skills of not being able to change the underlined red.
24 I highlighted it and changed it and it didn't --
25 apparently didn't change.

Page 235

1 MEMBER KING: Forgive me, Members. I thought this
2 was all one rule and make all the adjustments to the
3 codes. So that's how I -- that's how I viewed it.

4 MEMBER GRUBBS: I don't think -- Well,

5 MEMBER KING: Originally.

6 MEMBER GRUBBS: -- the one thing I think, you know,
7 as I sit and look at it and, you know, we're talking
8 about the Congressional 13 race, you know, that clearly
9 doesn't affect all the counties. So that's -- that's
10 why it's a temporary rule. And then all of these
11 subparagraphs are actually -- they technically are
12 individual rules. And what I didn't want to have happen
13 is, okay, you want to vote for Amendment A, but you
14 don't want to -- you don't want to vote on anything for
15 Congressional 13, that should negate the value of
16 defining what a vote is.

17 So if you -- you know, with the all or nothing
18 scenario if there's anything -- because I admit it
19 there's -- there's, you know, you've got four different
20 exhibits in the rule proposals. So when you -- when
21 you're looking at the different exhibits, those are
22 totally separate rules. So it's not an all-or-nothing
23 thing. When you look at Exhibit 2, that comes under
24 conduct of elections not under definition of a vote.

25 STEFAN BARTELSKI: Mr. Chairman, point of order.

Page 236

1 MR. CHAIRMAN: I'm not sure you can make a point of
2 order, but.

3 STEFAN BARTELSKI: Well, I'm not a parliamentarian
4 but I have read Robert's rules. I believe what you can
5 do in this case is start a motion for all the changes,
6 and then accept amendments to the motion to exclude
7 certain parts of the text.

8 MEMBER GRUBBS: That doesn't --

9 MR. CHAIRMAN: Certainly complicate things even
10 more than they already complicated, so.

11 STEFAN BARTELSKI: I think that's the Robert's way
12 to do it.

13 MR. CHAIRMAN: Yeah.

14 MEMBER GHAZAL: Member Grubbs.

15 MEMBER GRUBBS: Yes.

16 MEMBER GHAZAL: According to my back of the
17 envelope calculation, early voting for the special
18 election starts on July 6th.

19 MEMBER GRUBBS: Right.

20 MEMBER GHAZAL: So this -- this rule could not
21 possibly be in place by the time early voting begins?

22 MEMBER GRUBBS: Yeah, therein lies part of the
23 problem. I mean, if -- if you want to -- like I said, I
24 presented it last time. Everybody's had the rules. I
25 thought, you know, okay, if we break it down by, you

Page 237

1 know, calling it by amendment number. But I don't --
2 and, Dr. Johnston, to your point a little bit ago when
3 you look at Amendment B, first of all we have to define
4 the vote in conformity with SB 189, which was never
5 done. Rules were never updated after SB 189 was passed.

6 So in subparagraph H under Exhibit 1, that conforms
7 the rule to the July 1st law requiring text as the
8 official vote. Although -- so you have to -- since that
9 was never changed from 189 -- we had to comply with the
10 verbiage of 189. Then say there's no way we can comply
11 with that which is where subparagraph 2 comes in,
12 because counties can't comply with the new law and the
13 new rule. Therefore the backup system would become the
14 voting method for CD13.

15 So that was the reason why subparagraph H1 was put
16 in there I had to go back and look at my notes, because
17 the rules were never updated from SB 189.

18 MEMBER GHAZAL: How does this interact with a
19 special session in two weeks?

20 MEMBER GRUBBS: How does it -- how does it interact
21 with the blue ribbon committee on elections fixing
22 things? How does it interact with everything else? I
23 mean, I understand that we have the special session
24 coming, but we don't have a guarantee. And you know
25 what, if we have the special session these are rules

Page 238

1 that are in compliance with current law as we sit today.
 2 And if we come out of a special session with a hope and
 3 a wing and a prayer that they're going to do something,
 4 if they don't do it, then everything is in place.
 5 If they make changes, then it's going to negate the
 6 rules anyway. But we have a duty and a responsibility
 7 in the meantime to make rules that are in compliance
 8 with current Georgia law.
 9 MEMBER KING: So I thought we were voting on four
 10 rules. If we go through them individually --
 11 MEMBER GRUBBS: There's four exhibits, but these
 12 are the same rules that I presented. I just tried to
 13 break it down because it seemed like -- to be honest, it
 14 seemed like nobody was reading the rule proposal. I
 15 mean, but it seemed like there was there was a lack of
 16 understanding of it or something. I'm not quite sure.
 17 MEMBER KING: It just felt like -- I think that I
 18 think where the where the conflict was is that there's
 19 concern that it's a -- it's a huge change to the state
 20 code.
 21 MEMBER GRUBBS: It's not a change to the code at
 22 all.
 23 MEMBER KING: I mean, the 26.
 24 MEMBER GRUBBS: This is not a change to the code.
 25 This is a change to rules, to be in agreement with the

Page 239

1 code.
 2 MR. CHAIRMAN: Well that's where the difference of
 3 opinion is.
 4 MEMBER GRUBBS: No, it's not, Mr. Chairman.
 5 MR. CHAIRMAN: Well, it is a difference of opinion.
 6 Member Grubbs, you and I have different opinion on --
 7 MEMBER GRUBBS: What changes the code here?
 8 MR. CHAIRMAN: -- with our -- Whether -- well it
 9 changes the way the people will vote in the state of
 10 Georgia. It changes the way they vote from the BMD to -
 11 - to hand paper ballots and what it does.
 12 MEMBER GRUBBS: Because the BMDs are out of
 13 compliance with Georgia law at this time.
 14 MR. CHAIRMAN: I understand your position, but it
 15 does change the way that the people of Georgia will
 16 vote. And --
 17 MEMBER GRUBBS: So when the power goes down at a
 18 voting precinct and BMDs are unable to be used, but
 19 voting must continued, are you out of compliance with
 20 Georgia law to vote on a backup ballot?
 21 MR. CHAIRMAN: No, because that's -- that's the
 22 provision for that in the code to do that.
 23 MEMBER GRUBBS: It's also a provision in the code -
 24 - it is also a provision in the code to have a backup
 25 system where voting is impossible or impracticable. But

Page 240

1 you're focusing just on that and not on the other things
 2 in -- in the rules, the proposal defining what the law
 3 is. And that's exactly what you're saying is exactly
 4 why I wanted to break it down, which is let's define
 5 what a vote is. That has nothing to do with the backup
 6 system.
 7 We have the obligation and duty at and told by the
 8 legislature. We are dictated to by the legislature to
 9 define what a vote is.
 10 MR. CHAIRMAN: But defining that vote the way that
 11 you want to define it, changes the way --
 12 MEMBER GRUBBS: No, it does not.
 13 MR. CHAIRMAN: Yes, it does.
 14 MEMBER GRUBBS: How does it change it?
 15 MR. CHAIRMAN: Because it forces people it --
 16 forces all counties to go to the --
 17 MEMBER GRUBBS: No, it does not. You are not
 18 reading it correctly. What it says is, a vote cast on
 19 an optical scan ballot, shall be detected and tabulated
 20 directly from the original paper ballot and not an
 21 electronic copy or image of the ballot.
 22 That has nothing to do with a backup balloting
 23 system. That has nothing to do with a hand marked paper
 24 ballot.
 25 MR. CHAIRMAN: When official votes cannot be

Page 241

1 tabulated by the certified voting system --
 2 MEMBER GRUBBS: We're not talking about that.
 3 That's why we're on 183-1-15.02, the definition of a
 4 vote. That's why I broke it down this way is, because
 5 things are being convoluted and saying that -- that I'm
 6 trying to propose to change the voting system. When all
 7 I'm talking about is defining what a vote is.
 8 MR. CHAIRMAN: From the original paper ballot. So
 9 that means that the ballot that you get from the BMD, is
 10 that an original paper ballot?
 11 MEMBER GRUBBS: Correct.
 12 MR. CHAIRMAN: Is that an original paper ballot?
 13 MEMBER GRUBBS: Yes.
 14 MR. CHAIRMAN: So when I when I use the BMD and I
 15 get that ballot, that's not an electronic copy or image
 16 of the ballot?
 17 MEMBER GRUBBS: That is an original paper ballot.
 18 MR. CHAIRMAN: That -- that -- that doesn't change
 19 anything from -- from the way people currently vote?
 20 MEMBER GRUBBS: No, it does not. You go to the
 21 BMD. You make your selection. It prints a ballot.
 22 That is an original paper ballot and that is scanned.
 23 We're just defining what that is in this rule change.
 24 We're not changing how anyone votes in that -- in that
 25 change.

Page 242

1 DR. JOHNSTON: Well, actually the -- the paper
2 ballot summary is inserted into the scanner. And the QR
3 code -- the pixels of the QR code create an image. And
4 the image is created in the scanner of -- of a ballot.
5 And that is actually -- it's that image in the scanner
6 that is tabulated as to the vote and that also creates
7 the cast vote record.
8 So, yeah, are you sure that this could be
9 interpreted that you're saying a scanner would not be
10 allowed to tabulate a vote? I mean, I just -- just
11 started wondering about this.
12 MR. CHAIRMAN: That's a good point.
13 MEMBER GRUBBS: The image is not counted. The
14 ballot is counted.
15 DR. JOHNSTON: Actually, an image is created from
16 that QR code in the scanner. And it's not the -- in the
17 -- in the QR and it's created in the scanner and it's
18 that image that is then used to tabulate the votes.
19 That's a technical thing. I mean, it's a -- but it's --
20 it's what -- how a scanner works. You know, the scanner
21 is not a photograph machine. It actually goes through a
22 different process to create that image and it creates
23 the cast vote record.
24 MEMBER GRUBBS: But we're not talking about the
25 scanner. We're talking about what constitutes the vote.

Page 243

1 What is printed on the paper. How it's tabulated is
2 something separate. How it's scanned is something
3 separate.
4 MR. CHAIRMAN: Tabulated directly from the original
5 paper ballot, but it's not tabulated from the original
6 paper ballots. It's tabulated from the scanned images
7 of the ballots.
8 MEMBER GRUBBS: No, it's --
9 MEMBER GHAZAL: But -- but Amendment A is not
10 defining the vote. It defines how it's tabulated. The
11 -- under definition of a vote, optical scan voting
12 systems. The vote cast shall be detected and tabulated.
13 That's what this provision is doing. It's defining how
14 it's tabulated, not what constitutes the vote. If
15 that's what you're trying to do is define what
16 constitutes the vote. That's not what this does.
17 I agree with Dr. Johnston that this is -- this --
18 this defines what is used to tabulate the vote. And --
19 and I don't even know if that -- if this is true in the
20 case of -- I don't have enough technical expertise to
21 understand to know if this is true for hand marked
22 ballots. If it is -- if a scanner reads solely where
23 the mark is from the ballot, or if it creates some sort
24 of a digital image and tabulates based on that digital
25 image, and if that's the case then this may

Page 244

1 inadvertently require us to hand tabulate.
2 And that's -- and I don't have the technical
3 knowledge to know if that's the case.
4 DR. JOHNSTON: It might be how this is read
5 unfortunately. I understand where you're trying to go,
6 Member Grubb --
7 MEMBER GHAZAL: Right.
8 DR. JOHNSTON: -- but this could be interpreted
9 very differently and create a significant problem. Now,
10 I also know that SB 189 is written to suggest that
11 optical character reading is the way to count the vote.
12 And I think the people in Georgia need to know that
13 there is -- that is not legal. There is not an EAC
14 certified optical character read of ballots in this
15 country as far as I know. And if they have the intent
16 of using enhanced voting to tabulate our votes they will
17 be performing an illegal conduct of the election.
18 MEMBER GRUBBS: Well, what are we going to do about
19 it? Because we weren't even copied on the email.
20 DR. JOHNSTON: The simple thing to do is to go to --
21 -- to move to, if we're going -- if we want to abide by
22 the intent of 189, is to move to hand marked paper
23 ballots with an optical scan.
24 MEMBER GRUBBS: I've been trying to do that for
25 four years.

Page 245

1 DR. JOHNSTON: It's very -- it's very simple. If
2 the General Assembly decides that they want to kick the
3 can, they're ignoring the fact that QR codes are not
4 constitutional. They're not compliant with law.
5 They're not compliant with HAVA as a voter verifiable
6 ballot. And they haven't been compliant for quite a
7 while.
8 But if they want to go down that road themselves
9 that's the General Assembly. That's not the State
10 Election Board stance, I don't -- don't believe.
11 MEMBER GRUBBS: Okay. So, would you all like to
12 take the rest of the evening and go through it more
13 thoroughly, and maybe have some experts weigh in on it.
14 Because regardless, it is our obligation to define what
15 the vote is. And I'm perfectly happy to hear from
16 people way smarter than me on it. I'm happy to put this
17 off until tomorrow provided that we can come back and --
18 and discuss it and take a vote tomorrow.
19 MR. CHAIRMAN: Let me just say that that was not my
20 suggestion. That was yours, so.
21 DR. JOHNSTON: Well, I think -- I think the work --
22 there's work to be done. And -- but that's the work of
23 that perhaps a rules working group would do. It's not
24 something to be hashed out here today or this afternoon
25 at an election board meeting. And there's certainly a

Page 246

1 lot of unknowns that we're facing as far as June 17th.
 2 But these proposed rules are so complicated and I
 3 keep seeing new additions and tweaks to -- to this, that
 4 I don't feel confident that I could vote on all of these
 5 **A through Z. And I'm having a problem with the very**
 6 **first one and that was the one initially I thought this**
 7 **sounds good. And now that I think about it, it -- it**
 8 **really could get legally complicated quickly.**
 9 MEMBER GRUBBS: That other than adding the word the
 10 words or image that's the same way that it's been since
 11 I presented it at the last meeting. That -- nothing has
 12 changed except adding or image. But I'm happy to wait
 13 till tomorrow if y'all want to consider it this evening.
 14 And then perhaps we can have some experts weigh in
 15 between now and the close of the meeting tomorrow.
 16 MEMBER KING: I'm wondering if it's possible to
 17 drill it down to maybe one for tomorrow and see -- I
 18 mean, because the 26, I feel like that it's going to be
 19 hard to get everybody on board to go through each of
 20 these 20 -- 26. But if there's a -- if there's one, if
 21 we can look through this evening, if there's one portion
 22 of this that we all agree on or -- or even a few, but.
 23 MR. CHAIRMAN: There's four proposed rules here and
 24 I think that they play off of each other. There's a
 25 problem so if you pass one you got to go with all four.

Page 247

1 I don't think that we can say, you know, they all kind
 2 of reference each other is the problem. I think that
 3 the board needs to look at this tonight though, and we -
 4 - we can certainly discuss again tomorrow, Ms. Grubbs --
 5 I mean, Member Grubbs.
 6 So we'll do that and give us time to look through
 7 it tonight and see if the board has any suggestions for
 8 tomorrow. Okay?
 9 MEMBER GRUBBS: Okay.
 10 MR. CHAIRMAN: All right. Thank you. We have
 11 about 30 minutes left today. Do you want to hit some of
 12 these new business items that are pretty -- We'll hit
 13 new business discussion of June 17th and July 15th
 14 meeting dates.
 15 MEMBER GRUBBS: Mr. Chairman, I also have in that
 16 packet -- I'm sure there was probably not time or
 17 attention to that, but I also had another proposed rule
 18 concerning the bunker issue. You tell me if y'all want
 19 to hear it or not. It's in the packet.
 20 MR. CHAIRMAN: Can we look at that in the morning
 21 too?
 22 MEMBER GRUBBS: Sure.
 23 MR. CHAIRMAN: Okay. Thank you.
 24 DR. JOHNSTON: I would like to consider that.
 25 MR. CHAIRMAN: Tomorrow. Okay. All right. Let's

Page 248

1 do a discussion of June 17th and July 15th meeting
 2 dates. I don't know who put that on the agenda, but I
 3 think that I had questioned at some point about whether
 4 there's need to have the June 17th meeting, since we are
 5 having one today and tomorrow. And we don't have any
 6 cases to be heard in June. We will have cases available
 7 for the July 17th meeting.
 8 MEMBER KING: And it's the same day as the session
 9 starts.
 10 MR. CHAIRMAN: It is the same day as session
 11 starts. So special session. So would you like to make
 12 that motion?
 13 MEMBER KING: Yeah, I make a motion that our next
 14 meeting be in July.
 15 MR. CHAIRMAN: July 15th?
 16 MEMBER KING: July 15th.
 17 MR. CHAIRMAN: We have a motion to make July 15th
 18 the next meeting day. Is there a second? Is there a
 19 second to move the July -- or to make the -- we have a
 20 motion to make the next meeting date July the 15th. Is
 21 there a second?
 22 MEMBER KING: Actually, I'm not available on the
 23 15th.
 24 MR. CHAIRMAN: You still made the motion.
 25 MEMBER KING: I know. Hold on.

Page 249

1 MR. CHAIRMAN: Are you withdrawing your motion?
 2 MEMBER KING: I am withdrawing my motion.
 3 MEMBER GHAZAL: Do we need a July meeting? Could
 4 the cases be consolidated into August? Because that had
 5 been the discussion initially. If there's a rulemaking
 6 meeting that could be -- that could be called remotely.
 7 But I think for cases is there a reason -- is there any
 8 reason to have separate meetings in July and August, or
 9 can we simply consolidate the cases into August?
 10 MEMBER GRUBBS: Well, it would be great if we could
 11 actually know how many cases exist in the universe of
 12 the Georgia State Election Board.
 13 MR. CHAIRMAN: There's going to be approximately 30
 14 cases available for hearing. I was supposed to have
 15 those this week. I don't know if they'd come in or not
 16 yet, so.
 17 MEMBER GRUBBS: But we still don't know how many
 18 exist in the world, how many cases actually exist which
 19 would be great to find out.
 20 MEMBER KING: August 12th and 13th are the two
 21 dates that I'm recommending.
 22 MR. CHAIRMAN: We have -- we have August 19th --
 23 MEMBER KING: Oh, we have -- That's right. Okay.
 24 So, yeah, August 19th and 20th is fine too.
 25 MR. CHAIRMAN: I'm out of the country.

Page 250

1 MEMBER KING: Okay. I mean, I'm fine with August
2 19th and 20th.

3 MR. CHAIRMAN: They would all -- they would all be
4 so disappointed.

5 MEMBER GHAZAL: Unless we have significant
6 additional business we should be able to -- if cases we
7 should be able to get done in one day.

8 MEMBER KING: And if there's any rules or anything
9 that comes out, we can do special on Zoom.

10 MR. CHAIRMAN: So is there a motion to dispense
11 with the June 17th July 15th meeting date?

12 MEMBER GHAZAL: So moved.

13 MR. CHAIRMAN: We have a motion. Is there a
14 second?

15 MEMBER KING: Second.

16 MR. CHAIRMAN: We have motion to second. Any
17 discussion?

18 DR. JOHNSTON: I think the board should be flexible
19 and ready to meet in July following the session.

20 MR. CHAIRMAN: We are all for -- Yes. Yes. Yes,
21 we've agreed that we can do a special called meeting.
22 We have a motion and second any further discussion? All
23 those in favor of dispensing of July June 17th July 15th
24 meeting signify by saying aye. Any opposition? Hearing
25 no opposition so moved. August the 19th, yeah, that's

Page 251

1 already scheduled, so.

2 MEMBER GHAZAL: So we need to dispense with the
3 July meeting as well?

4 MR. CHAIRMAN: Yes, we dispense to both of them.
5 Yes. But we're going to leave ourselves open in case we
6 need to have a meeting depending on what the legislature
7 decides to do or not do in the next couple weeks.
8 Public response during the meeting? Public discussion
9 during the -- public response during the meeting?

10 DR. JOHNSTON: Yes. Mr. Chair, I'd like to make a
11 motion to dispense with jazz hands and allow polite
12 clapping and the use of the chairman's gavel to to
13 silence unruly extended clapping. It feels like -- it
14 feels like censorship. It feels like censorship.

15 MR. CHAIRMAN: I want to explain how we got there.
16 I'm not -- I want to explain how we got there, because
17 when I first joined this board back in early 2024, it
18 was a very contentious. So we had some very contentious
19 meetings. There was a lot of yelling. There was a lot
20 of everything going on. There was booing. There was
21 all of that stuff. Polite clapping I have no problem
22 with yelling, booing, making comments (indiscernible),
23 it's just not appropriate for this sort of meeting.
24 I'm willing to do that, but if it gets out of
25 control again, then I think that we need -- the chairman

Page 252

1 needs the opportunity to silence that because it just
2 extends the meeting unnecessarily. And I don't want,
3 you know, I've always been one to I think we need to
4 have controlled meeting without a lot of negativity.

5 DR. JOHNSTON: I've had a long talk with Ms.
6 Brumback and she promises not to yell or shout.

7 MR. CHAIRMAN: Okay. Any positive comments made
8 toward this board, you can certainly clap as much as you
9 want to. So we'll allow the chairman to be very light
10 on the gavel on those. But, yeah --

11 MEMBER KING: No jazz hands.

12 MR. CHAIRMAN: -- I'm okay with that. I hate jazz
13 hands, which is why they love to do it.

14 DR. JOHNSTON: I think it's childish and
15 controlling.

16 MR. CHAIRMAN: I do too.

17 DR. JOHNSTON: And I think clapping is appropriate
18 and --

19 MR. CHAIRMAN: In limited amounts.

20 DR. JOHNSTON: And that's why you have a gavel.

21 MR. CHAIRMAN: Polite claps will move forward in
22 limited amounts. But, please -- we'll do it -- we'll do
23 it. I just think that -- like I said, we all need to be
24 respectful of each other's opinions. We all have
25 different opinions and we need to be respectful for

Page 253

1 that. And so anybody gets out of line it's just not
2 appropriate for this meeting. So I'm going to put on no
3 more jazz hands. I know that Mr. Schroeder is going to
4 be very upset by that, because I know you love the jazz
5 hands.

6 THE WITNESS25: I have a question.

7 MR. CHAIRMAN: Yes, sir.

8 THE WITNESS25: We have a special session from our
9 legislators who haven't done anything about the QR code
10 deadline on July 1st. The day of special session then
11 we had a meeting scheduled the day after, which would be
12 good to discuss whatever they come up with. And did we
13 just cancel the day after --

14 MR. CHAIRMAN: The meeting actually starts -- the
15 meeting we had scheduled starts the day the -- is on the
16 day the special session starts. So it's not -- so we're
17 -- we're reserving the option to have a meeting after
18 the special session.

19 THE WITNESS25: Can we do it in June? We have
20 midterms coming up?

21 MR. CHAIRMAN: It depends on -- yeah, we've
22 reserved the opportunity to do that depending on what
23 happens in special session.

24 MEMBER GRUBBS: Mr. Chairman?

25 MR. CHAIRMAN: Yes, we have special called meeting.

Page 254

1 MEMBER GRUBBS: The problem is that this is like an
2 urgent thing. And what it seems to me that we keep
3 kicking the can down the road, the legislature, the
4 legislature, the legislature. They're going to do it.
5 They're going to do it. They're going to do it.
6 Well, guess what, I don't have full faith and
7 confidence they're going to do it. And whatever they
8 decide to do, I am very concerned about the fact that if
9 we put off meetings and things of that nature, there's
10 going to be rules that have to be done that are going
11 to, you know, not looking at the calendar even before
12 the November election and the amount of time that it
13 takes to get rules done.
14 Like I said, the whole reason why I had that one
15 change in the paragraph was because rules had not been
16 done to be in compliant for the last two years with 189
17 being impending. There is legislation that has been
18 passed that we have not done rules for. And so if we
19 put off, you know, we continue to put off meetings and
20 that's why I want to know how many cases in the world of
21 the Georgia state election board exist that we can't get
22 the answer to, so that we can plan, you know, because to
23 be honest, two-day meetings are not super convenient.
24 So it would be great to be able to condense it and
25 space out the cases, but we don't need to delay the

Page 255

1 cases. Likewise we don't need to delay rule making, but
2 that seems to be all we do. And so waiting until seeing
3 what the legislature does on a hope and a prayer, in my
4 view, it's just not good enough.
5 MEMBER KING: Well, I have a resolution on the
6 agenda for this meeting. So if we don't read it today,
7 we'll read it tomorrow, that addresses your concern. So
8 I think if we just be patient through this meeting today
9 and tomorrow, you may be pleased.
10 MEMBER GRUBBS: Well, I do -- I do -- Member King,
11 I do absolutely support what your resolution says. And
12 I think resolutions can be powerful, but also a
13 resolution is a resolution. Legislation is legislation.
14 And rules are rules.
15 MEMBER KING: Correct. But the rules regardless of
16 what we do today or tomorrow, will not be in place in
17 time for the most recent elections that are coming up.
18 So a resolution creates a pathway for the counties
19 considering that the rules are under time constraints,
20 as well as if there's a lawsuit filed the rules are held
21 up so it's just kind of pointless.
22 MEMBER GRUBBS: I agree. And to your point as an
23 absolute very last resort, we do have the ability to do
24 emergency rules if need be. Just not -- and I'm don't
25 anybody go say whoever's watching in the ether, I'm not

Page 256

1 saying we need to do emergency rules, but I'm saying
2 that is also an option if it becomes necessary. So I
3 understand that.
4 I get the resolution. I've been way behind
5 resolutions for sure. I just -- I'm a little frustrated
6 this afternoon. So forgive my short response.
7 DR. JOHNSTON: It may be that a meeting would --
8 you know, a meeting may need to be called the week of
9 the 24th and, Chairman Fervier he will -- he'll -- even
10 though he's out of town he would work to be able to
11 perhaps be there remotely. So because there -- there is
12 a lot that we don't know about. That we're -- we're --
13 we're waiting on the general assembly to make their
14 legislative decisions. But the -- the board will try to
15 be as flexible as possible to respond in a timely way to
16 what the legislature decides.
17 MR. CHAIRMAN: All right. Next on the agenda is a
18 tabulator tapes, review of tabular certification.
19 DR. JOHNSTON: I put that on the agenda. I would
20 just want to give a heads up to counties that when they
21 have a violation case one of the questions I may be
22 asking is, are they providing tabulator tapes for their
23 boards of elections if it had especially -- if it has --
24 if the case has anything to do with the conduct of
25 election, I would like to know that -- that counties are

Page 257

1 providing opening and closing tabulator tapes for their
2 boards to review -- to review before certification.
3 So as part of the canvas, I would like to be
4 reassured that board of election members -- you probably
5 do that --
6 THE WITNESS25: I try.
7 DR. JOHNSTON: You do that.
8 UNIDENTIFIED PUBLIC SPEAKER: It's not -- it's not
9 possible to do that --
10 DR. JOHNSTON: Right.
11 UNIDENTIFIED PUBLIC SPEAKER: -- the time that we
12 have, between the -- I can't start looking until
13 Thursday. And then Friday we have a pre-certification
14 meeting and we passed a policy that says after the
15 pre-cert, I can't look at tapes. So I can't go through
16 tapes from 150 --
17 DR. JOHNSTON: Why?
18 EXECUTIVE DIRECTOR MILLS: Monday -- well, this was
19 a holiday. We had our certification meeting on Tuesday
20 morning at 10:00. So I didn't have time that Tuesday
21 morning, and I took all day Thursday and didn't get
22 through half of the tapes.
23 DR. JOHNSTON: That -- that's a goal to work
24 toward. That board -- board of election members who are
25 taking part in the canvas, are able to affirm that the

Page 258

1 opening and closing tapes are provided and appear
2 matching and appropriate with the right -- right
3 protective counters, right serial numbers for all the --
4 the tabulators that have to do with in-person voting.
5 Thank you.

6 MR. CHAIRMAN: Any comments from the board? No.
7 Good. Next item is county preservation of records.

8 DR. JOHNSTON: I put that on the agenda. I would
9 like the board to ask a county to preserve their
10 election records for appropriate investigation. So if
11 we have a case assignment that requires an investigation
12 that involves election documents, we'd like to send them
13 a letter requesting that they preserve those documents
14 until the investigation is completed. That's really
15 based on our past experience that we receive cases long
16 after the two-year required retention of documents.

17 Now, our goal is to have our cases investigated and
18 heard in less than two years. But until we reach that
19 goal, we want to make sure that election documents are --
20 -- are preserved and available for -- for an
21 investigation to be completed. Thank you.

22 MR. CHAIRMAN: Member King, if you don't mind, I'm
23 going to put yours in tomorrow because those will take a
24 little bit of time. We have 10 minutes left.

25 MEMBER KING: That's fine.

Page 259

1 MR. CHAIRMAN: The last one, engage attorney to
2 write the Touhy letter.

3 DR. JOHNSTON: Yes, they -- the -- for the people
4 here, the -- as you know Fulton County was visited by
5 the FBI and their election documents and ballots were
6 removed and seized for investigation. At the moment
7 that that happened, the state election board was
8 negotiating with Fulton County in court to obtain those
9 documents for the price of \$400,000.

10 And that -- even in the face of that, that wasn't a
11 sure thing because Fulton County was coming up with --
12 with little issues that make it -- would make it even
13 more difficult to obtain the documents -- the specific
14 documents that we had requested. Well, so the -- the --
15 the document seizure was made and sort of the -- the
16 documents were removed. But the FBI apparently
17 digitized and copied all of the election documents and
18 ballots and provided a copy of that to Shea Alexander,
19 the clerk of Fulton County court.

20 We have requested that those documents from the
21 clerk of the court. We have not -- I mean, a copy, a
22 flash drive. A flash drive for about \$100 would be much
23 preferred to a \$400,000 extortion bill -- I mean, a
24 invoice and so we have requested that have not received
25 it. Our legal counsel is in the process of exploring

Page 260

1 that trying to obtain that legally.

2 However, there's an alternative route. We can
3 write a letter, called to a Touhy letter, to the
4 Department of Justice and request the same electronic
5 copy. So the Attorney General has given us permission
6 to -- to write a letter, utilize an attorney to -- not
7 them -- but an attorney of our choosing, to write a
8 letter and request the documents from the Department of
9 Justice.

10 So I make a motion that we approve the -- the
11 executive director to engage legal counsel to write it
12 and send a Touhy letter.

13 MR. CHAIRMAN: We have a motion. Is there a
14 second?

15 MEMBER KING: Second.

16 MR. CHAIRMAN: We have motion and a second. Is
17 there any discussion? Hearing no discussion all those
18 in favor signify by saying aye. Any opposition?

19 MEMBER GHAZAL: I abstain.

20 MR. CHAIRMAN: Motion carries three to zero. I
21 think that that should conclude our agenda for the day.
22 We're finishing early. Oh, I'm sorry, please. Please.

23 DR. JOHNSTON: Well, it's on for tomorrow, but
24 it'll be one less thing to do tomorrow. It's the
25 question of vice chair. It's time for me to hand that

Page 261

1 substitute gavel I guess, you know, the backup gavel to
2 someone else. And I would like to step down as vice
3 chair and hand that -- and I would like to nominate
4 Janelle King to be the vice chair.

5 MR. CHAIRMAN: We have a motion to appoint Janelle
6 King as the vice chair. Is there a second?

7 MEMBER GRUBBS: Second.

8 MR. CHAIRMAN: We have motion and a second to
9 appoint Janelle King as vice chair. Any discussion?
10 Hearing no discussion all those in favor signify by
11 saying aye. Any opposition. Hearing no opposition so
12 moved. Welcome, Madam Vice Chair.

13 MEMBER GRUBBS: Mr. Chairman, I would just like to
14 --

15 MR. CHAIRMAN: Hold on. Let me - let me catch up.
16 I'm sorry, just a second here. Member Grubbs.

17 MEMBER GRUBBS: I would just like to say that as
18 far as tomorrow goes the other documents that I have in
19 the packet that I left this morning, there is the rule
20 on the bunker issue. And then there is also a draft of
21 guidance to counties, which part of that may be covered
22 tomorrow. But I would just like to ask that people
23 review that. I also emailed it yesterday, but I don't
24 know that it was reviewed and I would just like to
25 address those items tomorrow.

Page 262 1 MR. CHAIRMAN: Yes. Okay. Is there a motion to 2 adjourn? 3 MEMBER KING: So move. 4 MR. CHAIRMAN: Is there a second? All those in 5 favor signify by saying aye. Hearing no opposition so 6 moved. This meeting is adjourned -- 7 MEMBER KING: We're not adjourned. 8 MR. CHAIRMAN: No, no, this is -- 9 MEMBER KING: This is recessed. 10 MR. CHAIRMAN: It's recessed. But this meeting is 11 in recess until 9:00 a.m. in the morning. 12 13 (Whereupon, the proceeding was concluded at 4:40 14 p.m.) 15 16 17 18 19 20 21 22 23 24 25	Page 264 1 This 16th day of June, 2026 <i>Jamie White</i> 2 3 <u>Jamie White, CCR</u> 4 Certified Court Reporter 5 No. 4628-9611-1917-4656 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25
Page 263 1 C E R T I F I C A T E 2 STATE OF GEORGIA) 3 COUNTY OF BULLOCH) 4 I, the undersigned Certified Court Reporter and duly 5 authorized officer pursuant to Rule 28 of the Federal Rules 6 of Civil Procedure, do hereby certify: 7 8 That the foregoing deposition of the witness named 9 herein was taken before me and reduced to a typed format 10 under my direction; 11 12 That, pursuant to Rule 30(e) of the Federal Rules of 13 Civil Procedure, the witness was given the opportunity to 14 examine, read, and sign the deposition after it was 15 transcribed, unless otherwise indicated in the record; 16 17 That I am not a relative, employee, attorney, or 18 counsel of any party or participant in this action, nor am I 19 financially or otherwise interested in the outcome of the 20 matter; 21 22 That the deposition, as transcribed, is a full, true, 23 and correct record of the testimony given, including all 24 questions, answers, objections, motions, and examinations, to 25 the best of my ability.	

In the Matter Of:
Georgia State Election Board Meeting

SECRETARY OF STATE

June 04, 2026



ON THE RECORD, LLC

Certified Court Reporters

**225 Main Street
Suite 1913
Hiram, Georgia 30141
404-604-0342**

DEPOSITIONS
COURT APPEARANCES
TRANSCRIPTION SERVICES

www.ontherecordllc.com

IN RE: State Board of Elections
DATES OF MEETING: June 4th, 2026
PLACE: Atlanta, Georgia

The scheduled Georgia State Election Board Meeting was taken before Jamie White, Certified Court Reporter, GA. Cert. No. 4628-9611-1917-4656, in and for the State of Georgia, scheduled to commence at 9:00 a.m., June 4th, 2026, at the Lanier Technical College-Forsyth Conference Center, located at 3410 Ronald Reagan Blvd, Cumming, Georgia 30041.

On the Record, LLC
Certified Court Reporters
225 Main Street, Suite 1913
Hiram, Georgia 30141
404-604-0342

Page 2 1 APPEARANCES 2 John Fervier, Chairman 3 Dr. Jane Johnston, Vice Chair 4 James Mills, Executive Director 5 Janelle King, Member 6 Salleigh Grubbs, Member 7 Sarah Ghazal, Member 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Page 4 1 then we will -- we have four cases, I believe. 2 ATTORNEY YOUNG: I'm Elizabeth Young from the 3 Attorney General's office. First case that we have on 4 our agenda is SEB2021-079, Gwinnett County. This is a 5 case from the 2020 general election in which a gentleman 6 named Tyler Alvin Morris showed up at the poll. He was 7 told he was not going to be able to vote, because he had 8 already voted. What had happened was there is a 9 gentleman named Tyler R. Morris. He came to vote during 10 advanced voting. And the poll worker in checking him in 11 mistakenly clicked on Tyler A. Morris instead of Tyler 12 R. Morris. So Tyler A. Morris was given credit for 13 voting. 14 This was back in the (indiscernible) days, and we - 15 - now with the new system, it would be much harder for 16 this -- it's very easy mistake that a poll worker can 17 make, but it will be, you know, currently much more 18 difficult for something like this to happen. Because if 19 you're familiar with the way it works, they now, you 20 know show you on the screen like is this you. Is this 21 your address. Back in under ENET it was not quite as 22 robust of a process. 23 And so, an inadvertent but serious mistake like 24 this could very easily happen. We -- Gwinnett County 25 has been very cooperative and has agreed to pay a \$600
Page 3 1 PROCEEDINGS 2 CHAIRMAN FERVIER: Call to order the June 4th -- 3 Today's the 4th, right, yeah -- 2026 meeting of the 4 State Election Board. We are coming out of recess. Dr. 5 Johnston has a prayer that she'd like to grace us with 6 this morning. Dr. Johnston? 7 VICE CHAIR JOHNSTON: Let us pray. 8 (Whereupon, Dr. Johnston led the meeting with 9 prayer.) 10 CHAIRMAN FERVIER: Thank you for coming back today. 11 We have a much shorter agenda, hopefully, today to get 12 through. And that is a coke, not a beer. We're going 13 to dispense with the cases first this morning. We'll do 14 the attorney general's report, then we'll do the cases 15 that we have, and then we'll get back into the business 16 of the day. 17 The agenda will -- pledge, we did the pledge 18 yesterday. We decided to do the pledge on the first 19 day, and so it's coming out of recess, you don't have to 20 continue it, so that's the kind of thing. 21 So dispense of the cases first and we'll go back to 22 the other items of the agenda, the business and do it. 23 And so the first item is with the Attorney General's 24 report. Attorney Young, if you please come to the 25 podium and introduce yourself for a court reporter and	Page 5 1 fine, along with a cease and desist and reprimand. And 2 we would recommend that the Board accept that 3 resolution. 4 CHAIRMAN FERVIER: Any questions from the Board? 5 Okay. Chair will entertain a motion on the case 6 SEB2021-079, a consent order presented by the Attorney 7 General. 8 MEMBER KING: I make a motion we accept the consent 9 order. 10 CHAIRMAN FERVIER: We have a motion to accept the 11 consent order. Is there a second? 12 VICE CHAIR JOHNSTON: Second. 13 CHAIRMAN FERVIER: We have a motion to second. Any 14 discussion? Hearing no discussion -- I'm sorry. 15 VICE CHAIR JOHNSTON: Mr. Chairman, I would like to 16 -- I'd like to make note that with the rule that we 17 adopted yesterday of numbered list of voters, perhaps -- 18 perhaps, this will also be another way to catch an 19 inadvertent similar name as the voter list is kept in 20 written with contemporaneously, while the voter is in 21 the polling place as they write the voters name is in 22 the registration. Thank you. 23 CHAIRMAN FERVIER: We have a motion and a second to 24 accept consent order as presented. Any further 25 discussion? Hearing no further discussion, all those in

Page 6 1 favor signify by saying aye. Any opposition? Hearing 2 no opposition so moved accepted by four to zero vote. 3 Second item SEB2022-208. 4 ATTORNEY YOUNG: Okay. This case comes from Cooke 5 County from -- from the -- it's quite an old case from 6 the 2018 general primary, although it was just referred 7 to us in February of 2025. The there was a woman named 8 Gail Kember, who's the respondent, who did vote twice in 9 the elections, both in Cook County and Tift County. 10 And she was kind of going back and forth between 11 counties. She had a residence in one county and was 12 caring for her father in another county. And so there 13 was some ambiguity there, but, you know, she has 14 acknowledged that she did vote twice during an election. 15 This is something that we typically would seek a fairly 16 significant penalty for. Even in a case where there's 17 maybe sympathetic facts about the intent of the voter. 18 We take double voting very seriously. 19 However, attorneys on my team have had lengthy 20 conversations with Ms. Kember. She is disabled and on 21 very low income. And this board does have the authority 22 to take into account circumstances like ability to pay 23 in levying penalties. And after discussions with her 24 about what she could -- could do. We came up with a 25 plan for a payment of \$200 with payments over time,	Page 8 1 ATTORNEY YOUNG: I -- I feel pretty confident that 2 she's learned her lesson. 3 MEMBER KING: What was her explanation? 4 ATTORNEY YOUNG: So she was -- let's see, I'm 5 trying to figure out -- she had been staying with and 6 caring for her father in Tift County, but she had 7 resided in Cooke County. And she had an absentee ballot 8 request for Cooke. I think she requested her ballot 9 thinking, well, I'm going to be over here in Tift County 10 taking care of my dad. And so she had requested the 11 absentee ballot. And then she went in person to vote in 12 Tift County. 13 I am not sure whether she you know could credibly 14 claim that that there was a forgetfulness issue there I 15 don't want to sit and make that excuse for her. But I do 16 think that she you know, had some possible confusion 17 over whether what the right location was. But she does 18 acknowledge that you know, yes, she voted the absentee 19 ballot and then, yes, she went and voted in person and 20 that she should not have done that. 21 CHAIRMAN FEVERIER: Any further questions from the 22 board? Chair will entertain a motion on this case. 23 MEMBER KING: I make a motion we accept the consent 24 order with the -- that includes the fine. 25 CHAIRMAN FEVERIER: We have motion to accept the
Page 7 1 which, you know, we feel like that's going to be a 2 stretch for her as it is. We think that's a much better 3 resolution than taking it to getting a higher penalty 4 and then having an issue not being able to maybe collect 5 on that judgment. 6 So, given the circumstances, given our 7 conversations with Ms. Kember, we do feel like she's 8 being up front with us about her ability to pay issues. 9 We would recommend that the board accept this 10 resolution. 11 CHAIRMAN FEVERIER: Any questions for the AG's 12 office? 13 VICE CHAIR JOHNSTON: Yeah. Did -- did Ms. Kember 14 understand that it was wrong to vote twice? 15 ATTORNEY YOUNG: I believe, you know -- you know, 16 yes, I think so. She's been very cooperative and, you 17 know she had some things to say about why it happened. 18 But I don't think that she is making excuses for herself 19 or avoiding responsibility. The conversation has really 20 been focused on, you know, her ability to pay a more 21 significant penalty. You know, I think she's been 22 cooperative and, you know, acknowledges the severity of 23 what she's been doing. 24 VICE CHAIR JOHNSTON: Can we be reassured that she 25 will not do that again?	Page 9 1 consent order as presented. Is there a second? 2 VICE CHAIR JOHNSTON: Second. 3 CHAIRMAN FEVERIER: We have a motion to second. Any 4 further discussion? Hearing no further discussion, all 5 those in favor of accepting consent order on case 6 SEB2022-208 signified by saying aye. Any opposition? 7 Hearing no opposition, accepted four to zero. 8 CHAIRMAN FEVERIER: Next on the agenda is a final 9 order on SEB2022-041 10 ATTORNEY YOUNG: All right. This is a case from 11 Murray County. The election supervisor filed a 12 complaint after a voter reported to the county that she 13 had received a pre-filled absentee ballot application 14 from an organization called Push Black, despite not 15 having requested one. And this is one of these things 16 that it used to be pretty common practice for 17 organizations to send these pre-filled absentee ballots, 18 and then SB202, you know, clarified that -- that 19 organizations are not to do that. And if they do send 20 any absentee ballot applications, they have to have 21 identifying language on there in terms of where that 22 absentee ballot application is coming from. 23 This did not -- did not -- did not include the 24 required statutory language. This was referred to us in 25 September 2025. And then at the February meeting, this

Page 10

1 board had a very similar case involving America's Pack,
 2 in which, you know, we feel like the facts are
 3 sufficiently similar. That a like penalty should be
 4 applied in each case. The board decided that a
 5 reprimand was an appropriate penalty in that matter. So
 6 we felt it would be appropriate to recommend the same
 7 resolution here.

8 CHAIRMAN FEVER: Any questions for the Attorney
 9 General?

10 MEMBER GRUBBS: So I have a question. It's got
 11 Push Black and Civitech [ph], are they one in the same
 12 organization?

13 ATTORNEY YOUNG: You know, that's a good question.
 14 And so Civitech is the organization that manages the
 15 Pushblack.org digital platform. And our final order has
 16 the reprimand being issued as to both Push Black and
 17 Civitech. So both of those organizations would be
 18 reprimanded if those organizations repeat that behavior
 19 in the future.

20 Doing that after a reprimand would definitely
 21 warrant a much stronger sanction, you know, if this
 22 action were to repeat itself.

23 MEMBER GRUBBS: So I just personally, we -- we
 24 just, you know, there's a consent order fining this --
 25 this woman, you know, \$200. And it says, you know,

Page 11

1 economics are an issue, and that kind of thing. And
 2 then you have these organizations that are spending tons
 3 and tons of money sending out pre-filled applications
 4 and things like that.

5 Just for me personally, I don't really understand
 6 why we're not assessing a fine associated with that. I
 7 think there should be something stronger, because I've
 8 gotten tons of calls from people that sometimes the
 9 information is, you know, behind schedule, or it may
 10 even not even have a correct voting date. And then
 11 people are calling me, asking me, you know, well, are we
 12 having an election now, or what's the deal?

13 I just -- personally, I feel like this is something
 14 that deserves a fine, that's just me.

15 ATTORNEY YOUNG: Well, we're -- our recommendation
 16 is based on what we saw from the board at the February
 17 meeting. Certainly, you know, the America's Pack case
 18 could have justified a penalty. This case could justify
 19 a penalty --

20 MEMBER GRUBBS: I agree with both of those.

21 ATTORNEY YOUNG: -- but when, you know, we do try to
 22 monitor things for consistency and to take that guidance
 23 from the board. So when we, you know, saw the board
 24 vote for a reprimand in that case, we did not see a
 25 basis for distinguishing this case and penalizing this

Page 12

1 organization more harshly than that other organization.

2 MEMBER GRUBBS: I think they both should be
 3 penalized. That's -- that's my view, is when -- when
 4 these organizations actually send out something that
 5 people interpret to be an official absentee ballot
 6 application, and it's got personal information on there.
 7 I think, you know, they're going an extra mile to try
 8 and get people to, you know -- I mean, I want to
 9 encourage voting, but I don't think that this is the way
 10 to do it from these partisan organizations, and I think
 11 they both deserve a fine. But that's just my opinion.

12 MEMBER KING: I agree with Member Grubbs, because I
 13 understand where you're coming from. However, the board
 14 decision was to send this case to the AGs office. If we
 15 wanted to give them a letter of reprimand, then that's
 16 what we would have done at that time. So we -- this
 17 particular case was sent to you because we felt like it
 18 should have been escalated to that point.

19 So I do agree that if we are going to have a
 20 citizen on a payment plan for \$200, which is a stretch
 21 for her, it does feel a little disingenuous to see an
 22 organization that is sending out pre-filled absentee
 23 ballots -- which are advocacy ballot applications, which
 24 could create confusion, particularly if it's someone who
 25 wasn't planning on voting absentee, thinking that maybe

Page 13

1 they can. So it's a little bit of a disruption in my
 2 opinion.

3 I do think that they should be fined, so I happen
 4 to agree with Salleigh with that one.

5 ATTORNEY YOUNG: Well, one thing I'll caution the
 6 word about, you know, we certainly have the option to
 7 take this to OSA, and I've had administrative law judges
 8 ask me what have boards and commissions done in similar
 9 cases, because -- because when the ALJ chooses a
 10 penalty, that's, you know, usually the thing that I'm
 11 asked about, you know, what other cases have that are
 12 like this one, what penalties that has boards and
 13 commissions awarded?

14 So, you know -- we would, in our duty of candor to
 15 the court, we would have to let them know that in
 16 February this board had voted for a reprimand. I think
 17 it'd be a very hard sell to an ALJ not to follow that
 18 precedent, because they do view these things as
 19 precedential. But, of course, we will respect the will
 20 of the board, and if it is the will of the board that we
 21 seek a penalty in this case, we will do our best.

22 VICE CHAIR JOHNSTON: Over the last four years,
 23 there have been hundreds of third-party organizations
 24 that have had complaints and allegations that were
 25 brought to this board. We've had sort of cases that

Page 14

1 included 200 complaints rolled into one that we heard of
 2 all sorts of third party organizations that were
 3 essentially in violation of what is current -- the
 4 current statute now. This is seems to be a sort of a
 5 leftover from what happened in 2020 when we -- there
 6 weren't the prohibitions as far as prefilled absentee
 7 ballot applications. And so voters received two, four,
 8 six, eight, you know, many, many applications that
 9 looked very official. And they -- and voters thought
 10 perhaps they were coming from the government, and they
 11 were not.

12 And so we had, we dealt with the fallout and the
 13 repercussions of that. I would recommend that -- that
 14 the third party organization rule by the SEB be reviewed
 15 and revamped, and if need be, legislation passed to
 16 monitor third-party organizations and their activities,
 17 and require that they be registered in the state of
 18 Georgia, and reviewed in the state of Georgia, and
 19 reports made every year in the state of Georgia.

20 And if they violate absentee ballot application
 21 processes, then their authority -- their ability be
 22 revoked, if they are not playing by the rules.

23 MEMBER GRUBBS: Well, as to these cases, in my
 24 view, and I realize that there's precedent of what's
 25 happened before, I am confused, because you said that we

Page 15

1 voted on these cases, and I remember the -- I don't
 2 remember the Push Black case. I do remember the America
 3 Pact case, and you're right, they are similar. But in
 4 my view, you know, unless they feel this some sort of
 5 sting, they're not really motivated to change their
 6 ways. And if we did vote for a letter of reprimand,
 7 then why did we end up sending it to the AGs office?

8 MEMBER KING: We did -- we didn't --

9 CHAIRMAN FERVIER: We voted for a letter of
 10 reprimand on the other case.

11 MEMBER GRUBBS: Oh, on the other case. Okay.

12 ATTORNEY YOUNG: Right. The timeline was -- this
 13 case was already in our office when y'all voted on the
 14 reprimand as to America's Pact. So we were actually
 15 looking at this as a penalty case and preparing this
 16 case in that regard. And then when we, you know, saw
 17 that the board had done the reprimand and the America's
 18 Pact case, and we don't -- we're not aware of any basis
 19 to distinguish these two cases, so we thought it would
 20 be appropriate for the same penalty to be applied here.

21 CHAIRMAN FERVIER: The violation was simply they
 22 didn't put the required statutory language on it?

23 ATTORNEY YOUNG: Correct.

24 CHAIRMAN FERVIER: I mean, that was the violations,
 25 just they didn't put statutory language.

Page 16

1 ATTORNEY YOUNG: And I think the pre-filling had
 2 been inappropriate as well.

3 MEMBER GHAZAL: May I also just point out that this
 4 was for a primary election in 2022. And the America's
 5 PAC was for the presidential election in 2024. So the
 6 law had been in place for significantly longer, and we
 7 still only applied a letter of reprimand.

8 Similarly, and just recently there was a case with
 9 a pro-life group, where again we submitted a letter --
 10 issued a letter of reprimand for similar. I do not
 11 recall whether or not there was pre-filling in that
 12 application as well. I would caution, I'm certain it's
 13 not -- could not possibly be the intent of this board,
 14 but I would definitely caution against an appearance of
 15 partisanship, given that this case that we are
 16 recommending a fine appear from the name could possibly
 17 be construed to be left. And America's PAC is Elon
 18 Musk's organization. I'm certain that the board would
 19 not wish to appear partisan in this case.

20 MEMBER GRUBBS: I certainly don't want to appear
 21 partisan. I mean, elections are nonpartisan in my view.
 22 And these violations are not definitely nonpartisan. I
 23 mean, what happens with one needs to happen with the
 24 other. On the America PAC, it's, it's on here for a
 25 final order.

Page 17

1 CHAIRMAN FERVIER: Well, that one's already been
 2 resolved. It won't go the AG, so it's complete.

3 MEMBER GRUBBS: Right.

4 ATTORNEY YOUNG: So the next item -- the next case
 5 on the agenda also involves America's PAC, which I
 6 haven't addressed that one yet. I think that what that
 7 one may be is a subset of the case that this board has
 8 already resolved. It's difficult for me to know for
 9 sure, because I don't have the investigative file on the
 10 case that the board already resolved. We only get the
 11 investigative files on the matters that are referred to
 12 us.

13 But it looks to us from what from the information
 14 that we have that the case that we have on today's
 15 agenda with America PAC is a single voter that
 16 complained about the same activity that this board has
 17 already resolved. And so that brings up issues of
 18 possible, it's called res judicata, which is the case
 19 has already been resolved. You can't come back and try
 20 it again.

21 So I don't know for sure that res judicata truly
 22 applies here, because I don't have the files to be able
 23 to put next to each other to be sure that it sure looks
 24 that way. So -- so our recommendation for number four
 25 is a little bit different than for number three, because

Page 18

1 we're looking at this as -- those two cases probably
 2 should have been consolidated into a single case,
 3 because they seem to be the same conduct and just coming
 4 from two different directions. One complaint was filed
 5 by a voter who got it, and then I don't remember who the
 6 complainant was in 2024-151, but it seems to be the same
 7 kind of batch of applications that went out into the
 8 world that generated two different complaints.
 9 VICE CHAIR JOHNSTON: Part of the problem we have
 10 here in Georgia is that other states do allow prefilled
 11 absentee ballot applications. So if it's a national
 12 organization, they may think that every state allows
 13 this, and they're not doing their homework to check and
 14 see if it's different in Georgia. But if we -- if we
 15 required a third party organization, any third party
 16 organization to register that they intend to send out
 17 absentee ballot applications, then -- then we could
 18 either inform them -- or inform them to read the Georgia
 19 election law and make sure they're not violating any of
 20 our particular laws. And I think these cases, both they
 21 apologized and said they did not realize that was the
 22 case in Georgia, and -- and I think that was that
 23 affected the decision the board made. But, right, I
 24 don't want us to have any appearance of partisanship.
 25 But it's a problem with third-party organizations,

Page 19

1 because we've had third-party organizations register
 2 children, dead people, people who don't live in Georgia,
 3 felons. So -- so there it's something to monitor and
 4 something to be aware of. But -- but these cases are, I
 5 think, just as you've presented.
 6 CHAIRMAN FERVIER: It does present a problem for
 7 us, though, with the Americas PAC case, because we
 8 issued a letter of reprimand on exactly the same
 9 allegation in February. And if we did different this
 10 time, it could create a problem for us.
 11 MEMBER KING: Exactly the same?
 12 CHAIRMAN FERVIER: It's the same -- it's the same
 13 election. It's --
 14 MEMBER KING: I thought this was coming from the
 15 AGs office. They're offering a reprimand.
 16 CHAIRMAN FERVIER: I know, but it was a -- I'm
 17 saying we -- it was the same election in America's PAC,
 18 and out these things. It was just two different voters
 19 that --
 20 MEMBER KING: But we also sent America PAC to the
 21 AGs office.
 22 CHAIRMAN FERVIER: Right.
 23 MEMBER GRUBBS: On one but not the other.
 24 CHAIRMAN FERVIER: On one but not the other.
 25 MEMBER KING: I just don't remember to say that

Page 20

1 it's exactly the same. But, I mean, that's why I can't
 2 --
 3 CHAIRMAN FERVIER: You said it was the same
 4 allegations, though, right?
 5 ATTORNEY YOUNG: Correct.
 6 MEMBER KING: The prefilled.
 7 ATTORNEY YOUNG: Yes.
 8 CHAIRMAN FERVIER: Yeah.
 9 MEMBER KING: Okay.
 10 CHAIRMAN FERVIER: Same allegation, one went to the
 11 AG and one a letter of reprimand.
 12 MEMBER KING: Okay. Okay.
 13 MEMBER GRUBBS: So, I mean, you know, we painted
 14 ourselves in the corner, so to speak.
 15 CHAIRMAN FERVIER: Yeah.
 16 MEMBER GRUBBS: And so we don't want to treat, you
 17 know, different groups different, you know, same
 18 circumstances differently. I would just say, in the
 19 future, when we have this situation come up, that it
 20 will be my recommendation to assess a fine when it's
 21 sent over to the AGs office. Because, you know, they're
 22 not -- they're not going to stop doing it unless they
 23 fill it in the pocketbook.
 24 And I just, you know, I do feel bad assessing fines
 25 to someone who can't afford it, and --

Page 21

1 ATTORNEY YOUNG: And we would have approached these
 2 cases that way, but for the board's decision to
 3 reprimand America's PAC in February. Like we were in
 4 the process of kind of starting to work these cases up,
 5 and then we see that, and then we look at our cases, and
 6 you know, we're like, well, we, you know, there's not a
 7 basis for distinction here. We should bring this back
 8 to the board and allow them to --
 9 CHAIRMAN FERVIER: You know the will of the board
 10 going forward.
 11 ATTORNEY YOUNG: Understood.
 12 CHAIRMAN FERVIER: Any more questions? Chair will
 13 entertain a motion on SEB2022-041.
 14 VICE CHAIR JOHNSTON: Mr. Chair, I recommend that
 15 we accept the Attorney General's recommendation for a
 16 final order and cease and deceit in reprimand.
 17 MEMBER GRUBBS: Second.
 18 CHAIRMAN FERVIER: We have a motion and a second to
 19 recommend or to accept the final order on SEB2022-041.
 20 All those in favor signify by saying aye. Any
 21 opposition? Hearing no opposition, so moved.
 22 EXECUTIVE DIRECTOR MILLS: Mr. Chairman?
 23 CHAIRMAN FERVIER: Yes.
 24 EXECUTIVE DIRECTOR MILLS: If I could, I just want
 25 to clarify something, because this discussion -- Beth

Page 22

1 brings this to mind that just because a board has made a
 2 wrong decision in the past, does not bind it to make
 3 another wrong decision in the future, just because it
 4 made a wrong decision in the past. Boards change this
 5 makeup of this board will change in the future. It has
 6 changed in the past to look back 10 years ago. What
 7 this board was doing and what this board might be doing
 8 10 years forward could be entirely different.

9 So I would really encourage the board that you know
 10 you have the right to look at each decision
 11 individually, while you do not want to appear partisan,
 12 while you do not want to appear unfair in any manner,
 13 you know, to paint yourself in a corner, to use Member
 14 Grubbs' terms. I mean, no, we -- none of us are
 15 perfect.

16 Some days we make good decisions, some days we make
 17 bad decisions, but to bind yourself because you made a
 18 bad decision in the past, to make another bad decision
 19 in the future. I just need to say that, and try to
 20 balance the discussion here.

21 ATTORNEY YOUNG: Well, it's not our prerogative to
 22 decide whether or not the board has made a bad decision.
 23 And we do not look at the decisions of the board through
 24 a lens of it being a bad decision. I will say that this
 25 board's decisions can be precedential. And that, that

Page 23

1 is a challenge that we would have if we were to have
 2 inconsistent and differing penalties being applied by
 3 the board.

4 You know, administrative law judges look to those
 5 things as precedent. That does not mean you're correct
 6 that you are always, you know, locked into a particular
 7 penalty or a particular fine. You certainly can look at
 8 things in a case by case basis, and the board does have
 9 the prerogative to change its mind as it evolves and as
 10 members change, certainly.

11 But -- but when that happens, you know, we do ask
 12 that the board recognizes that there may be challenges
 13 associated with that in terms of getting those penalties
 14 applied.

15 CHAIRMAN FERVIER: I think going forward, it'd be
 16 perfectly acceptable for this board to issue penalties
 17 on these kind of cases. But this one bothers me,
 18 because it's the America PAC again, when we just rolled
 19 on that same substantially --

20 ATTORNEY YOUNG: Right. And I think if -- if --
 21 and I mean, if we're ready to move to 2024-159, if you
 22 had two different elections, you know, if they had done
 23 it and then done it again in a subsequent election, I
 24 think that would be totally different. But what the
 25 problem with this one is, it appears to be part and

Page 24

1 parcel of the earlier case that's already been resolved.
 2 **A ras judicata would prevent the board from, you know,**
 3 **going back after it's already issued a penalty and a**
 4 **reprimand -- a penalty in the form of a reprimand.**
 5 **From re-penalizing the same organization for the**
 6 **same conduct, in a perfect world, I think these cases**
 7 **probably would have been consolidated together and**
 8 **adjudicated together, and that's just not practical**
 9 **reality. When you have complaints coming from two**
 10 **different directions about the same conduct, that's it's**
 11 **very easy to see why they didn't get put together.**

12 CHAIRMAN FERVIER: Organizations should be on
 13 notice now anyway. So, there's no excuse going forward.
 14 SEB2024-159. Okay. The board -- the Chair will
 15 entertain a motion on SEB2024-159.

16 MEMBER KING: Yeah, I make a motion that we accept
 17 the consent order.

18 CHAIRMAN FERVIER: We have motion to accept. Is
 19 there a second?

20 MEMBER GRUBBS: Second.

21 CHAIRMAN FERVIER: We have a motion to second. Any
 22 discussion? We have a motion and a second to accept the
 23 final order on SEB2024-159. All those in favor signify
 24 by saying aye. Any opposition? Hearing no opposition,
 25 so moved.

Page 25

1 EXECUTIVE DIRECTOR MILLS: Mr. Chairman, since we
 2 have Attorney General Lawyer here, Beth Young with us,
 3 we had a subject yesterday that came up, and you were
 4 going to --

5 CHAIRMAN FERVIER: She already responded. I sent
 6 it out yesterday.

7 EXECUTIVE DIRECTOR MILLS: I know, and thank you
 8 for doing that. And I just wanted -- since we have her
 9 here, I know in her response in the email it was
 10 questioning about -- and since we have Rick Richards
 11 here --

12 ATTORNEY YOUNG: This is about whether or not the
 13 SEB website can --

14 EXECUTIVE DIRECTOR MILLS: Right.

15 ATTORNEY YOUNG: I will try to answer your
 16 question, but I will say this is not a topic that I'm
 17 particularly familiar with. And I probably would need
 18 to research it further, and you know. Before giving any
 19 definitive advice, I want to -- because GTA, I know, has
 20 some rules and regulations about linking to websites.
 21 But that's not, as an elections lawyer, something I deal
 22 with on a day to day basis.

23 So I'd want to make sure that I don't give any
 24 improper advice. But -- but I did find some guidelines
 25 that the board could look at, you know, if the board

Page 26

1 wants to start thinking about that.

2 EXECUTIVE DIRECTOR MILLS: And I noticed in the

3 email, I think you said if you -- if the board desired

4 for you to do further research on it, which I appreciate

5 that, and that's the point I'm getting to.

6 CHAIRMAN FERVIER: I've already talked to her about

7 it this morning.

8 EXECUTIVE DIRECTOR MILLS: Okay.

9 CHAIRMAN FERVIER: I read the link that she said,

10 and I believe there's a part of it that allowed this to

11 happen. But I want to point that out to her and ask her

12 to research that particular point. So I believe -- I --

13 I'm not an attorney. I think it'll be allowed. I want

14 her to look into the section --

15 ATTORNEY YOUNG: I will follow up --

16 VICE CHAIR JOHNSTON: I'm very interested in a

17 pilot project with Dr. Richards to go -- to use Elly in

18 five to 10 counties, and come up with his findings, his

19 results to see if it's workable, beneficial, that is

20 helpful for the county. So we would very much be

21 interested in that. But we want to make sure that it's

22 --

23 ATTORNEY YOUNG: Well, and I would just ask that we

24 make sure that we're clear on what the questions being

25 presented to us are. Because you know, I don't know if

Page 27

1 we're talking about just a simple link on a website or

2 something more detailed. And so I'd like to get some

3 specifics about what I should be researching in that

4 regard.

5 EXECUTIVE DIRECTOR MILLS: To clarify yesterday was

6 just a link. That's all. Just --

7 ATTORNEY YOUNG: And a pilot project may implicate

8 other types of things that I have to think about. So

9 but I can certainly flush out the link issue.

10 VICE CHAIR JOHNSTON: But at this point in time,

11 there's no prohibition for any county registrar to

12 access Dr. Richards' Elly. Is that correct? I mean,

13 it's public information. It's just like accessing the

14 internet to find out an address of a building or

15 something.

16 ATTORNEY YOUNG: I'm not aware of anything. I

17 probably want to look further, just to make sure that

18 I'm not missing something. But, you know, as I stand

19 here today, I'm not aware of. My understanding is

20 counties can look at a variety of information from a

21 variety of sources, they would want to make sure that

22 those sources are -- are accurate.

23 CHAIRMAN FERVIER: The only -- the only difference

24 that I can see, it's all publicly -- it's all drawn from

25 public data sources, it's free to everybody, you can

Page 28

1 access it, but you have to be credentialed to be able to

2 get into it. And so it's just, but you have to have

3 other websites too, sometimes, and sign up, and --

4 ATTORNEY YOUNG: So, like I said, I'd want to have

5 a little time to look at this in a little more detail,

6 make sure that I understand the product first, you know,

7 so that I can make sure that I could spot any issues

8 that could be associated with it.

9 CHAIRMAN FERVIER: Yeah, I just asked you back and

10 watch a discussion that happened yesterday, so that you

11 can --

12 ATTORNEY YOUNG: Sure.

13 CHAIRMAN FERVIER: -- I think we talked about most

14 of those issues, so.

15 ATTORNEY YOUNG: And I did -- I was able to view

16 most of that, but I did have some interruptions during

17 the day.

18 MEMBER GRUBBS: Spell binding isn't it?

19 ATTORNEY YOUNG: Always is.

20 CHAIRMAN FERVIER: Thank you.

21 MEMBER GRUBBS: Thank you very, very much for all

22 you do for us.

23 ATTORNEY YOUNG: Thank you.

24 CHAIRMAN FERVIER: We're going to go into the

25 violation cases now. The first item, the agenda is

Page 29

1 SCB2022-107, Henry County districting issues. The first

2 case we will hear is SCB2025-105, Lamar County, illegal

3 campaigning by candidates. It's tab number 43. Okay.

4 Come to the podium, please.

5 EXECUTIVE DIRECTOR MILLS: The Secretary of State's

6 office initiated this investigation in the course of

7 conducting the polling place inspection for November

8 2025 special election, where it was observed that a

9 candidate sign was placed within 150 feet of an active

10 polling place, a potential violation of official code of

11 Georgia OCGA 21-2-414 restrictions on campaign

12 activities.

13 CHAIRMAN FERVIER: Complaint is Investigator Wendy

14 Stevens. The respondent is Tim Turner. Is Mr. Turner

15 here? There is a statement. I'll read the statement in

16 his absence. I'll try to get some additional

17 information. This is my first time running for any type

18 of office. I decided to run for tax commissioner for

19 Lamar County. I qualified and began ordering my signs.

20 I live across a narrow street from Barnesville, Lamar

21 County Library, which is used for a voter spot.

22 I had a small sign on the sign of my yard. When I

23 qualified, I wasn't told anything about the legal laws

24 or ordinance on displaying a political sign, so I had no

25 clue I could not put a sign in my yard. In the report

Page 30

1 you sent, the person said I said I was using my First
 2 Amendment rights to put my sign there. I don't remember
 3 saying that at all. I said that I don't know -- I
 4 didn't know I could not put a sign in my yard that would
 5 conflict with anything during the election.
 6 No one from the library came over and said that the
 7 sign was any kind of violation. If they had, I would
 8 gladly remove it. I'd never campaigned before and had
 9 no idea. I don't remember seeing a sign at the library
 10 saying that you did not put a sign up. It was an honest
 11 mistake. I had no idea that I was doing anything that
 12 should not be done. Thanks again for reaching out and
 13 let me know if there's anything else need to do. Best
 14 regards.
 15 MEMBER KING: Yeah, it just sounds like it's
 16 another candidate didn't -- and it's his private
 17 property. That's kind of tricky.
 18 CHAIRMAN FERVIER: It is, but the code does not
 19 distinguish property.
 20 MEMBER KING: Right.
 21 CHAIRMAN FERVIER: Yeah, I had that very question
 22 asked, discuss that with an investigator, so.
 23 MEMBER KING: Yeah.
 24 CHAIRMAN FERVIER: If there is no questions, the
 25 Chair will entertain a motion on this case.

Page 31

1 MEMBER KING: I make a motion we issue a letter of
 2 instruction.
 3 CHAIRMAN FERVIER: We have motion to show a letter
 4 of instruction to Mr. Turner. Is there a second?
 5 DR. JOHNSTON: Second.
 6 CHAIRMAN FERVIER: We have a motion and a second.
 7 Any discussion? Hearing no discussion, all those in
 8 favor signify by saying aye. Any opposition? Hearing
 9 no opposition. So moved by voted four to zero.
 10 Next item is SCB2025-028, Henry County, City of
 11 Hampton, publishing qualifying fee, number 42.
 12 EXECUTIVE DIRECTOR MILLS: On May the 28th 2025 the
 13 Secretary of State's Investigation Division opened an
 14 investigation after receiving an email from Nicholas
 15 McKinnon, election support and research specialist,
 16 advising that he spoke to Alex Cohelles [ph], city
 17 manager of the city of Hampton, who self-reported that
 18 the city of Hampton did not publish the qualifying fees
 19 as required in OCGA 21-2-131 fixing and publishing of
 20 qualification fees, manner of payment, distribution fees
 21 paid.
 22 CHAIRMAN FERVIER: The complainant is, Alex
 23 Cohelles, City Manager, City Hampton, and the respondent
 24 is Henry County Board of Elections and Voter
 25 Registration, and Carmen Blunt, Interim City Clerk.

Page 32

1 ALICIA THOMPSON: Good morning, Mr. Chair, and good
 2 morning to the State Board of Elections. Ms. Blunt is
 3 here today. And just to provide some context on the
 4 matter --
 5 CHAIRMAN FERVIER: Would you introduce yourself,
 6 please?
 7 ALICIA THOMPSON: I'm sorry, my name is Alicia
 8 Thompson, and I represent the City of Hampton.
 9 CHAIRMAN FERVIER: Okay.
 10 ALICIA THOMPSON: Ms. Blunt is here today, and just
 11 as it stated in 2025 of course, the city was required to
 12 publish the qualification fees for the election on
 13 February one. They were not published until June the
 14 4th of 2025. And just to provide some context around
 15 the matter, Ms. Blunt was put in the position rather at
 16 the last minute. The city clerk at the time had to go
 17 on leave, and so there was oversight in those duties of
 18 making sure that the publishing went out on February
 19 one.
 20 So Ms. Blunt was serving in an interim capacity,
 21 filling in for the city clerk, because there was an
 22 emergency that she had to go on leave for. And during
 23 that time frame it was overlooked that the fees would be
 24 published by February 1st. When it was acknowledged and
 25 understood that they needed to be published, they were

Page 33

1 published by June the 4th, of course, ahead of the date
 2 of qualification for candidates.
 3 And so again the publishing fees were published in
 4 time for the candidates to have noticed them and paid,
 5 but just not by the February 1st deadline.
 6 CHAIRMAN FERVIER: Is Ms. Blunt still the city
 7 clerk?
 8 ALICIA THOMPSON: No. at the moment I believe she
 9 -- she's not the city clerk, but does she still work for
 10 the City of Hampton.
 11 CHAIRMAN FERVIER: Okay.
 12 MEMBER GRUBBS: So what role -- what role does the
 13 Henry County Board of Elections play?
 14 ALICIA THOMPSON: Henry County Board of Elections,
 15 they -- they're the entity, or they're the election
 16 superintendent for the City of Hampton. But each
 17 municipality is still required to publish fees for
 18 candidates that are going to be for -- for offices that
 19 are going to be filled in within that municipality.
 20 MEMBER GRUBBS: Okay. And Lee Phillips was the
 21 director of the board of elections?
 22 ALICIA THOMPSON: Yes, that is a county official
 23 that worked with the City of Hampton. Yes.
 24 MEMBER GHAZAL: Mr. Chairman?
 25 CHAIRMAN FERVIER: Yes, Member Ghazal.

Page 34

1 MEMBER GHAZAL: I want to clarify this. This is a
 2 self-report by the --
 3 ATTORNEY YOUNG: Yes, by the city. Yes.
 4 MEMBER GHAZAL: Did you receive any complaints from
 5 any candidates in relation to --
 6 MS. BLUNT: No, ma'am.
 7 MEMBER GHAZAL: Okay.
 8 CHAIRMAN FERVIER: Self-report. No complaints.
 9 Complained on yourself.
 10 MEMBER KING: That's the right thing to do.
 11 MEMBER GRUBBS: What's your name?
 12 CARMEN BLUNT: I'm Carmen Blunt.
 13 MEMBER GRUBBS: Okay.
 14 CHAIRMAN FERVIER: Have you disciplined yourself
 15 already?
 16 CARMEN BLUNT: I didn't actually file a complaint.
 17 I -- at the time that this was brought up, I had already
 18 been moved over to the municipal court. So it was
 19 brought to my attention after the fact.
 20 CHAIRMAN FERVIER: Okay. It's been corrected,
 21 obviously. Any questions? The chair will entertain a
 22 motion.
 23 MEMBER GHAZAL: I would move that we issue a letter
 24 of reprimand.
 25 CHAIRMAN FERVIER: Why a letter of reprimand is

Page 35

1 letter of instruction?
 2 MEMBER GHAZAL: I'm fine with that. I will amend
 3 my motion that we issue a letter of instruction.
 4 CHAIRMAN FERVIER: I mean, it seems like a very
 5 unfortunate mistake of nobody's real fault. So
 6 unfortunate circumstances. We have motion to issue a
 7 letter of instruction. Is there a second?
 8 MEMBER KING: Second.
 9 CHAIRMAN FERVIER: We have a motion to second. All
 10 those in favor, signify by saying aye. Any opposition?
 11 Hearing no opposition, so move. You understand what a
 12 letter of instruction is?
 13 CARMEN BLUNT: I do not. I'm not in that position.
 14 CHAIRMAN FERVIER: All right. Well, it's simply a
 15 letter sent out that said that you've violated a code,
 16 please don't do that again.
 17 CARMEN BLUNT: Okay.
 18 CHAIRMAN FERVIER: All right. Thank you. Safe
 19 travels back. Other two Hampton -- I mean, the other
 20 two Henry are coming later, right?
 21 MEMBER KING: Yes.
 22 CHAIRMAN FERVIER: Okay. All right. Next on the
 23 agenda is SCB2023-084, Houston County, City of Warner
 24 Robins, illegal campaigning.
 25 EXECUTIVE DIRECTOR MILLS: It was reported to the

Page 36

1 Secretary of State that on the election night of
 2 November 7th, 2023, Charlie Bibb, candidate for Warner
 3 Robins City Council, entered the Mossy Creek Middle
 4 School polling precinct prior to the polls closing.
 5 CHAIRMAN FERVIER: Complainant is, Kristen Kiefer.
 6 The respondent is Charlie Bibb. Is Mr. Bibb here?
 7 Charlie Bibb is not here. Is Kristen Kiefer here,
 8 complainant? No. The -- based on information standard
 9 report appears violation has been identified. OCGA 21-
 10 2-414(d), restrictions on campaign activities, is the
 11 code section. So it was substantiated, Charlie Bibb,
 12 candidate for Warner Robert City Council did enter the
 13 Mossy Creek Middle School polling precinct before the
 14 polls had closed.
 15 VICE CHAIR JOHNSTON: 10 minutes.
 16 CHAIRMAN FERVIER: 10 minutes. Yes, at 6:50 p.m.
 17 VICE CHAIR JOHNSTON: 10-minute violation.
 18 CHAIRMAN FERVIER: Yes. Any questions from the
 19 board?
 20 SHERRIE PHILLIPS: Charlie Bibb statement --
 21 CHAIRMAN FERVIER: Yeah, do you have it?
 22 EXECUTIVE DIRECTOR MILLS: Can she read it to us?
 23 CHAIRMAN FERVIER: Yeah.
 24 SHERRIE PHILLIPS: First of all, I like to
 25 apologize that I couldn't be there in person for the

Page 37

1 hearing. I'm on a family vacation that has been
 2 planning for quite some time. I would like to tell the
 3 panel, I did go to the Mossy Creek polling place to
 4 collect all of my signs that were at this location.
 5 After packing up all my signs, I noticed it was very
 6 close to the poll closing.
 7 I decided to wait and get the polling information -
 8 - get the polling numbers from the polling location. I
 9 waited in the parking lot beyond the 150 feet polling
 10 sign. When it came time for the poll to close, I walked
 11 up to the school. There were no voters outside or
 12 inside. They started taking down the polling equipment,
 13 so I walked past where the voting machines were, and
 14 walked all the way to the end of the hallway, away from
 15 the voting booths.
 16 I sat in a chair next to the police officer that
 17 was on duty. I stayed in that location until they were
 18 finished taking down the equipment and run the numbers.
 19 I retrieved the numbers and left the polling location.
 20 I have stated that I may have walked in a couple minutes
 21 early into the polling location, but I never
 22 communicated with any voter at that polling location,
 23 because there were none.
 24 It was also stated in the complaint that I had a
 25 campaign T-shirt on that was totally false and debunked

Page 38

1 by the polling location volunteers. I deeply regret the
 2 miscalculation of time on my part that I made that
 3 night. My intentions were not to force in any way,
 4 shape, form, or fashion. I deeply apologize for my
 5 mistake.

6 One more note, nobody has come forward saying that
 7 I was trying to get people to vote for me at the polling
 8 location because there were no voters there. It was
 9 very late, and the polls were closing. The situation
 10 was all over the news in my community, and I've already
 11 suffered a lot of embarrassment for a stupid mistake,
 12 but again, nobody came forward saying that I was trying
 13 to get people to vote for me inside the polling
 14 location. Councilman Charlie Bibb.

15 CHAIRMAN FERVIER: Any questions for the board?

16 MEMBER KING: I think Sherrie should read all of
 17 them.

18 CHAIRMAN FERVIER: I'm hurt by that.

19 MEMBER KING: Sorry, James. I hate that they put
 20 this on the news. Geez.

21 CHAIRMAN FERVIER: Small town.

22 MEMBER KING: I make a motion that we issue a
 23 letter of instruction.

24 CHAIRMAN FERVIER: We have a motion to issue a
 25 letter of instruction. Is there a second?

Page 39

1 MEMBER GRUBBS: Second.

2 CHAIRMAN FERVIER: Got a motion to second. Any
 3 discussion? Hearing no discussion, all those in favor
 4 signify by saying aye. Any opposition? Hearing no
 5 opposition, so moved. Letter of instruction will be
 6 issued. Next on the agenda is SCB2025-024, Burke
 7 County, City of Keysville, Vidette, failure to hold
 8 election in 2023.

9 EXECUTIVE DIRECTOR MILLS: The Secretary of State's
 10 office received the following complaint regarding the
 11 November 7th, 2023, municipal general /special election
 12 in the city of Keysville, Burke County, Georgia. It was
 13 reported that the city of Keysville and the City of
 14 Vidette failed to conduct the required municipal
 15 election on November 7th, 2023.

16 VICE CHAIR JOHNSTON: The Keysville situation was
 17 handled with SEB2023-054.

18 CHAIRMAN FERVIER: Yes.

19 VICE CHAIR JOHNSTON: So this is really
 20 consideration of Vidette.

21 CHAIRMAN FERVIER: City of Vidette, I was
 22 interested to know a little bit about the City of
 23 Vidette. They have a population of 103. And they're
 24 one square mile in size. And it seems like they never
 25 have anybody wants to run for anything, so you just kind

Page 40

1 of rotate who gets to be mayor. And they don't even
 2 have enough people on the city council, because nobody
 3 will volunteer to be on city council. So it's a very --
 4 very small community. If you want to be the mayor of
 5 Vidette, move to Vidette.

6 MEMBER KING: I mean, did they not conduct the
 7 election because no one was running?

8 CHAIRMAN FERVIER: I don't even know if they had
 9 the resources to -- I mean, it's such a very small
 10 community. They -- back in the 1920s, they had a
 11 population over 500. And so it's a decreasing city.

12 MEMBER GRUBBS: I bet they use hand marked paper
 13 ballots

14 CHAIRMAN FERVIER: For all four ballots, probably.

15 VICE CHAIR JOHNSTON: They probably use raised
 16 hands.

17 CHAIRMAN FERVIER: There -- there's no financial
 18 records indicating where city money was spent. There's
 19 no documentation showing officials took office when the
 20 last election had been held. They are attempting to
 21 reestablish a functioning council, but their efforts
 22 have been hindered by a lack of willing participants

23 EXECUTIVE DIRECTOR MILLS: Do they have an address
 24 for us to send a letter to?

25 MEMBER KING: Who filed the complaint -- Oh, the

Page 41

1 Secretary of State's office. Okay.

2 MEMBER GHAZAL: Mr. Chairman, may I ask --

3 CHAIRMAN FERVIER: I'm not done reading yet. Three
 4 different mayors serving between 2022 and 2025, and
 5 explained the previous two resigned. All the mayors
 6 were appointed by council, and all council members
 7 volunteered for their positions. No elections were held
 8 for any of the seats, and no members were sworn in
 9 through a formal process. They currently do not have
 10 enough members to constitute a functioning council.

11 Vidette does not have necessary equipment or
 12 certified individual to administer an election. He
 13 advised that their goal is to hold their first properly
 14 conducted election in 2027. I have great sympathy for
 15 these people. Yes, your question.

16 MEMBER GHAZAL: If I could ask, Counsel, if no
 17 candidate qualifies for office, is -- there is no
 18 obligation to actually (indiscernible) an election, is
 19 that . . .

20 ATTORNEY YOUNG: I would have to look at that. I
 21 know that there are procedures for nominating
 22 replacement candidates sometimes when you have this
 23 situation. But they're pretty technical, and I'd have
 24 to take a look at it.

25 MEMBER GHAZAL: Right. I was -- I was quickly

Page 42

1 trying to -- trying to look at that. I couldn't find
2 it. I was hoping that you would --
3 ATTORNEY YOUNG: Yeah, I would also have to look at
4 that.
5 MEMBER GHAZAL: Okay. But failure to, like, I know
6 that there are some very technical things to replace
7 candidates, but when, like, nobody qualifies, they don't
8 know that there is even a legal obligation to hold an
9 election.
10 ATTORNEY YOUNG: When no one is qualifies.
11 MEMBER GHAZAL: They don't know that there's even a
12 legal obligation to hold an election --
13 ATTORNEY YOUNG: I'm not sure that there is one.
14 MEMBER GHAZAL: Right.
15 ATTORNEY YOUNG: But I'd really want to look before
16 I --
17 MEMBER GHAZAL: That's why I asked you.
18 ATTORNEY YOUNG: Yeah. I will say I'm not aware of
19 a statute that would place that legal obligation on a
20 county in that particular scenario.
21 MEMBER GHAZAL: Thank you.
22 CHAIRMAN FERVIER: Chair will entertain a motion at
23 this time.
24 MEMBER KING: Yeah, I make a motion that we dismiss
25 this case. It's clear that this county -- that this

Page 43

1 city is not prepared, and no one was running, then no
2 real harm.
3 CHAIRMAN FERVIER: We have motion to dismiss. Is
4 there a second?
5 MEMBER GHAZAL: Second.
6 CHAIRMAN FERVIER: We have motion to dismiss and a
7 second. All those in favor signify by saying aye. Any
8 opposition? Hearing no opposition, so moved. This case
9 is dismissed. Somebody, please identify the city of
10 Vidette that --
11 MEMBER KING: I know. I think I'm going to visit
12 the city.
13 CHAIRMAN FERVIER: It would be a quick visit.
14 MEMBER KING: They should have a restaurant or
15 something.
16 CHAIRMAN FERVIER: I don't think they have
17 anything. I couldn't even find any pictures online. I
18 went down a rabbit hole one night trying to --
19 MEMBER KING: I want to see. I think I'll drive
20 out there just to see.
21 CHAIRMAN FERVIER: You can eat in Augusta, because
22 it's not too far from there. Next item on the agenda is
23 SCB2025-104, Irwin County, City of Ocilla, buying votes.
24 They are attending by Zoom. SCB2025-104, Irwin County,
25 City of Ocilla, buying votes. It's tab number 46.

Page 44

1 EXECUTIVE DIRECTOR MILLS: The office of the
2 Secretary of State received the following complaint or
3 allegation concerning the November 4th, 2025, municipal
4 general election in the city of Ocilla, Irwin County,
5 Georgia. Irwin County Election Supervisor Ethan Compton
6 reported that Courtney Austin, a candidate for Oscilla
7 City Council, had offered food to encourage residents to
8 vote in the 11/04/2025 municipal general election.
9 An additional complaint was made by Stephen Hudson,
10 in which he made the same allegation. Both complainants
11 were combined for the investigation.
12 CHAIRMAN FERVIER: The complainant is Ethan
13 Compton, Irwin County, and Stephen Hudson. And the
14 respondent is Courtney Austin. Ms. Austin, are you on?
15 COURTNEY AUSTIN: Good morning. Yes, I'm here.
16 CHAIRMAN FERVIER: Ms. Austin, are you online?
17 COURTNEY AUSTIN: Yes, I'm here.
18 CHAIRMAN FERVIER: Can you turn her up so we can
19 hear? Ms. Austin?
20 COURTNEY AUSTIN: Yes.
21 CHAIRMAN FERVIER: Okay. We can hear you fine now.
22 You're on loud speaker, so the audience can hear you
23 also. Would you like to make a statement on this case?
24 COURTNEY AUSTIN: Yes, I would like to make a
25 statement.

Page 45

1 CHAIRMAN FERVIER: Okay.
2 COURTNEY AUSTIN: I already sent in like the post
3 and stuff, but this was my first time running for
4 election. I was not bribing people out of votes. Ethan
5 himself even came over to me the day of election, the
6 day that I was giving out food, and told me that the
7 only thing was that I would have to feed everyone that
8 came up for plates. I ended up feeding everybody that
9 came, even people that did not vote.
10 Prior to the election, like a couple months before,
11 I was at a district that could not even vote for me. I
12 was at College Hill Park, and I gave away free meals
13 just to the community, just giving back to the
14 community. My goal was to get everybody to vote. It
15 didn't matter if they voted for me or not. This was put
16 in the Ocilla Star in the newspaper, which bought me
17 embarrassment, which was not true.
18 I even -- I spoke with Ethan. Ethan, only problem
19 was, make sure you feed everybody, not just District
20 One. I fed so many people in the community. People
21 that sat across the street, they came and ate. And they
22 did not even vote. I even offered my opponent food. I
23 was not bribing no one to vote for me at all.
24 CHAIRMAN FERVIER: The Secretary of State found
25 potential violations to OCGA 21-2-570, any person who

Page 46

1 gives or receives offers or gives to receive or
 2 participates are giving or receiving of money or gifts
 3 for the purpose of registering for a particular
 4 candidate. Any questions from the board?
 5 MEMBER KING: Yes. Ms. Austin, when you were
 6 passing out food, did you ask them to provide their
 7 voter sticker in exchange for a plate of food?
 8 COURTNEY AUSTIN: I did not. Someone requested
 9 that I do that just to show that they voted, and I did
 10 put that in the post. But once I spoke with Ethan and
 11 he made it clear that I had to feed everyone that asked
 12 for a plate, anyways, I did not ask for no stickers.
 13 Not one person provided a voter sticker.
 14 MEMBER KING: All right. And are you familiar with
 15 -- well, I guess prior to this, were you familiar with
 16 the policies in relation in regards to handing out food
 17 and drink?
 18 COURTNEY AUSTIN: I didn't know that that would be
 19 considered like buying votes or a bribe. I did not,
 20 because, like I said, this is something that I do --
 21 even before I ran, I always try to find ways to give
 22 back to the community. Like I said, I was at College
 23 Hill Park, which is not even in my district, maybe like
 24 a month or two before the election, giving back food to
 25 the community, and not one person that was there could

Page 47

1 even vote for me.
 2 MEMBER KING: Okay. Thank you.
 3 COURTNEY AUSTIN: Yes, ma'am.
 4 CHAIRMAN FERVIER: Any more questions? Chair will
 5 entertain a motion on this case.
 6 MEMBER KING: I make a motion that we issue a
 7 letter of instruction, so that she has the code and
 8 she's fully aware.
 9 CHAIRMAN FERVIER: We have motion issue of letter
 10 of instructions. Is there a second?
 11 MEMBER GHAZAL: Second.
 12 CHAIRMAN FERVIER: We have motion and a second
 13 issue of letter of instruction. Any discussion?
 14 Hearing no discussion, all those in favor signify by
 15 saying aye. Any opposition? Hearing no opposition, so
 16 moved. Ms. Austin, do you understand what letter of
 17 instruction is?
 18 COURTNEY AUSTIN: Yes, sir, I do.
 19 CHAIRMAN FERVIER: Okay. Well, thank you for
 20 participating. We appreciate you.
 21 COURTNEY AUSTIN: No, thank you.
 22 CHAIRMAN FERVIER: Thank you. Next item on the
 23 agenda is SEB2023-089, Sumter County poll worker issues,
 24 a continued case. I'm sorry, that case was continued.
 25 Next item is SCB2025-100, Stewart County, City of

Page 48

1 Richland, FC ballot drop box.
 2 EXECUTIVE DIRECTOR MILLS: On the election day,
 3 November 4th, 2025 at 10:44 a.m., Investigator Monroe
 4 was conducting election monitoring at the Richland Parks
 5 Memorial Public Library in Stewart County when he found
 6 a drop -- when he found a ballot drop box set up in the
 7 lobby of the library. The box was accessible to the
 8 public as they entered to vote, and at the voting room,
 9 which was located directly next to the lobby.
 10 The investigator took photos of the ballot drop
 11 box, which clearly shows the drop slot was open,
 12 allowing absentee ballots to be deposited.
 13 CHAIRMAN FERVIER: The respondent, Stewart County
 14 Board of Elections and Registrations, Alfreda Hudson,
 15 election supervisor. Ms. Hudson, are you here? The
 16 findings were substantiated -- the allegations were
 17 substantiated, OCGA 21-2-382, additional buildings as
 18 registers -- as additional registers office or place of
 19 registration for receiving FC ballots, and for advanced
 20 voting drop boxes. That's the violation number. And
 21 this is actually Investigator Monroe was conducting
 22 election monitoring and found this. It's substantiated.
 23 Any questions?
 24 EXECUTIVE DIRECTOR MILLS: Mr. Chairman, I just had
 25 one for future reference here. So an investigator from

Page 49

1 the SOS or the SEB can take pictures inside a voting
 2 precinct?
 3 CHAIRMAN FERVIER: This was not inside the voting
 4 precinct.
 5 EXECUTIVE DIRECTOR MILLS: Okay. That's what I
 6 want to clarify.
 7 CHAIRMAN FERVIER: Yeah, this was not inside the
 8 voting precinct.
 9 MEMBER GHAZAL: When -- when there's a polling
 10 location that's set up inside a public building, there's
 11 an enclosed space, and -- and the area outside the
 12 enclosed space is not considered inside the precinct.
 13 And therefore within the prohibitions. So if -- if this
 14 -- if the drop box was outside the enclosed location, it
 15 wouldn't -- wouldn't be covered by those prohibitions.
 16 CHAIRMAN FERVIER: Chair will entertain a motion.
 17 MEMBER KING: I make a motion we issue a letter of
 18 reprimand.
 19 CHAIRMAN FERVIER: We have motion to issue a letter
 20 of reprimand on SEB2025-100. Is there a second? I'll
 21 second the motion. We have motion to second. Any
 22 discussion?
 23 VICE CHAIR JOHNSTON: Yes. I would like to know if
 24 this practice has been changed, and if there are
 25 actually providing proper surveillance or oversight of

Page 50

1 the drop box at this time.

2 MEMBER KING: I'm open to --

3 MEMBER GHAZAL: Can we confirm, so Stewart County

4 is not here, and they have not provided any sort of

5 statement?

6 CHAIRMAN FEVERIER: No.

7 MEMBER GHAZAL: My preference would be to send this

8 to the Attorney General's office.

9 MEMBER KING: I don't mind amending my motion.

10 CHAIRMAN FEVERIER: We have a motion to amend the

11 motion sentence to the AG. Is there a second?

12 MEMBER GRUBBS: Second.

13 VICE CHAIR JOHNSTON: Second.

14 CHAIRMAN FEVERIER: Amended motion send it to the

15 AGs office. Any discussion? Hearing no discussion, all

16 those in favor signify by saying aye. Any opposition?

17 Hearing no opposition, so moved.

18 MEMBER GRUBBS: Just one thing to clarify, they did

19 receive proper notice, right?

20 SHERRIE PHILLIPS: Yes, ma'am.

21 MEMBER GRUBBS: Okay. And no -- and did you get

22 any word back from them?

23 SHERRIE PHILLIPS: No, ma'am.

24 CHAIRMAN FEVERIER: Next on the agenda is SCB2024-

25 038, Wilkinson County ballot selections not on the

Page 51

1 printed ballot.

2 EXECUTIVE DIRECTOR MILLS: The Georgia Secretary of

3 State's office received a complaint from Robert Kitchen

4 alleging that his printed ballot only had a QR code and

5 not his candidate selections.

6 CHAIRMAN FEVERIER: The complainant is, Richard

7 Kitchen. The respondent is Kelly Chapman, Election

8 Supervisor Irwinton, and the Wilkinson County Board of

9 Elections and Registration. Is Wilkinson County here

10 for Kelly Chapman?

11 The investigator found potential violations based

12 on information contained reported. Appears the

13 violations been identified. During the interview, the

14 Deputy Registrar and Election Equipment Technician

15 identified the scanner issued as a configuration error

16 on an election event designer with a Lourd's precinct

17 one improperly linked with the Ivy precinct. She said

18 the problem was resolved by creating new memory card,

19 after which ballots scanned successfully. This would

20 have likely been discovered if proper procedures were

21 followed during LNA testing.

22 So it's about SEB rule 183-1-12-.08 subsection

23 three subsection D, logic and accuracy testing.

24 MEMBER KING: No one's here.

25 CHAIRMAN FEVERIER: No one's here.

Page 52

1 MEMBER KING: Oh, they're on Zoom.

2 MEMBER GHAZAL: I think there's someone on Zoom.

3 Before we hear that, I want to make sure that it's clear

4 to everybody who's listening that the initial allegation

5 about a ballot that did not print, the voters' choices

6 was found to be unsubstantiated because the

7 investigators reviewed the ballots. Because this is not

8 the first time we've heard allegations where voters

9 believe that the print did not -- or that their ballots

10 weren't properly printed. And then the investigators go

11 back, they look at the ballots and discover that it was

12 a faulty memory and not a faulty printer.

13 CHAIRMAN FEVERIER: Is Kelly Chapman online?

14 EXECUTIVE DIRECTOR MILLS: Yes, I'm here.

15 CHAIRMAN FEVERIER: Who's online?

16 MEMBER KING: Kelly Chapman.

17 CHAIRMAN FEVERIER: Ms. Mahone? Ms. Mahone, can you

18 hear us?:

19 KELLY CHAPMAN: I'm Ms. Chapman.

20 (Technical difficulty hearing Kelly Chapman via

21 Zoom.)

22 CHAIRMAN FEVERIER: Ms. Chapman, can you hear us?

23 KELLY CHAPMAN: Yes, I can hear you.

24 CHAIRMAN FEVERIER: Would you like to make a

25 statement on this?

Page 53

1 KELLY CHAPMAN: Yes, I would. So, the initial

2 allegation was found to be unfounded. Because what

3 happened is the voter actually had a QR code. He just

4 didn't understand what he was looking at. And as far as

5 the encoding of the cards, that was my second election.

6 I had only been here not even six months, so I actually

7 had a technician, as well as a registrar who were

8 working.

9 And when the issue was discovered, we immediately

10 fixed it and got everything taken care of. Everyone was

11 allowed to vote. I am now more hands on. I'm actually

12 training to do all of my stuff myself. And I've not had

13 this issue since, and I'm also in the process of

14 creating standard operating procedures for my office, so

15 that these type of things will not happen again in the

16 future.

17 CHAIRMAN FEVERIER: This board have any questions

18 for Ms. Chapman?

19 MEMBER KING: One question, what -- you said that

20 he didn't understand what he was looking at. So you

21 said his ballot was perfectly fine, but he just was

22 misreading it. Is that what happened?

23 KELLY CHAPMAN: With the guy, what he did was like

24 the ballot, he only saw the QR code. He didn't see the

25 wording, but when the investigator came, we pulled every

Page 54

1 single ballot. He took a photograph of every single
 2 ballot, and every single ballot had the wording on it.
 3 This particular voter actually put his ballot into
 4 the scanner and cast his ballot, and then said, I didn't
 5 see my results going to vote again. And we advised him,
 6 because he had cast his ballot, that we could not pull
 7 his ballot back and let him revoke, because he cast it
 8 before he said anything.
 9 MEMBER KING: Got it. Okay. Thank you.
 10 CHAIRMAN FERVIER: Any further questions for Ms.
 11 Chapman? Chair will entertain a motion on SEB2024-038.
 12 MEMBER GHAZAL: I move that we issue a letter of
 13 instruction with regard to logic and accuracy testing.
 14 CHAIRMAN FERVIER: We have motion issue of letter
 15 instruction in regard to LNA testing. Is there a
 16 second?
 17 VICE CHAIR JOHNSTON: Second.
 18 CHAIRMAN FERVIER: We have motion and a second.
 19 Any discussion?
 20 MEMBER KING: Just really quick. Was logic and
 21 accuracy testing done at all?
 22 KELLY CHAPMAN: Yes, ma'am, it was. What we all
 23 discovered is that when I went back and looked at
 24 everything and all of the paperwork, because I had only
 25 been -- I had not even been here six months. I knew

Page 55

1 what had happened when I went through it, and I realized
 2 they had just gotten some things mixed up, as far as the
 3 cards go. And so I actually -- we got the issue
 4 corrected. We followed -- you know, we followed all the
 5 paperwork. I now document everything I used -- We
 6 actually use the LMA accuracy checklist. Because at
 7 that time that was not being used.
 8 I did implement that, that is a requirement. Now
 9 is that the large logic and accuracy check testing
 10 checklist is always used, and I actually now myself is
 11 hand -- or I'm really hands on with everything, and I
 12 double and triple check everything to make sure that
 13 everything is done correctly. And the only reason I'm
 14 not there today is because I am conducting LNA testing.
 15 MEMBER KING: Okay. All right. Well, thank you.
 16 CHAIRMAN FERVIER: We have motion second to issue a
 17 letter of instruction on LNA testing. Any further
 18 discussion? All those in favor signify by saying aye.
 19 Any opposition? He no opposition, so moved. Thank you,
 20 Ms. Chapman.
 21 MEMBER GRUBBS: Mr. Chair, it says in here that the
 22 investigator obtained a court order to review election
 23 records. I would like -- I would like to further review
 24 this case, even though we've, you know, issued a
 25 decision on it. And would like to understand exactly

Page 56

1 what that court order says. If we can get a copy of
 2 that order, that would be great from the investigator.
 3 CHAIRMAN FERVIER: If you'll send me an email, I'll
 4 see if I can get that, okay? The next item on the
 5 agenda is SCB2025-038, Fulton County, disability issue
 6 of polling place.
 7 EXECUTIVE DIRECTOR MILLS: This investigation was
 8 opened after the Georgia Secretary of State's office
 9 received a complaint referral from complainant Maria
 10 Santikova [ph], stating that she encountered a
 11 disability access issue where the audio tactile
 12 interference -- the ATI -- was not working correctly
 13 during July 15th, 2025 special primary runoff, Public
 14 Service Commissioner/special election.
 15 CHAIRMAN FERVIER: The complainant's, Maria
 16 Santikova, the respondents are Nadine Williams of Fulton
 17 County Board of Elections and Alexis Mahone. Okay.
 18 Please proceed.
 19 KAREN BASHUDA: Yes, Karen Bashuda for Fulton
 20 County. So I think a lot of this appears to be there
 21 was a family dynamic going on at one point. So the ATI
 22 system was working. The mom, father, and daughter, who
 23 was the one that needed assistance or to use the ATI all
 24 came in together.
 25 When they checked into the poll pad, the father

Page 57

1 signed the voter assistance portion, and I do -- Sorry,
 2 I don't have printed copies, but I do have a copy of the
 3 voter certificate and the father signing for voter
 4 assistance. But then when they went to vote, the
 5 daughter indicated, she wanted to use the ATI. But the
 6 card at that point was programmed for voter assistance.
 7 It has to be programmed separately for ATI.
 8 So, in order to use the ATI, the poll worker would
 9 have needed the card back to cancel that out on the poll
 10 pad. Nadine Williams is on the line, she can explain
 11 the actual poll process. But the card would have to be
 12 reprogrammed to use the ATI. But she decided -- she
 13 declined to have it reprogrammed, but she did not want
 14 her father to help her. So she asked the poll worker if
 15 she could help her select the screens.
 16 But that's because the father had signed the voter
 17 certificate, the poll worker needed to be more assertive
 18 and make clear that the father then had to assist her,
 19 or to return the card, and either reprogram it for the
 20 ATI or reprogram it with the poll worker signing as the
 21 voter assistant. And Ms. Williams should be on the
 22 line, she can speak to that as well.
 23 And the voter did vote, but it was the poll worker
 24 that assisted her, but because the card wasn't returned
 25 and reprogrammed, it still has the father listed as the

Page 58

1 voter assistant. And -- and the card just out in the --
 2 it wasn't that the ATI machine was down, it just hadn't
 3 been programmed for that.
 4 CHAIRMAN FERVIER: And the voter asked the
 5 assistant manager to help her?
 6 KAREN BASHUDA: Yes.
 7 CHAIRMAN FERVIER: She didn't want the father to
 8 help her?
 9 KAREN BASHUDA: Yes, that is my understanding. She
 10 didn't want her father to help her. She either wanted to
 11 use the ATI, either way, with ATI or the poll manager
 12 assisting her. The card would have had to be
 13 reprogrammed to do that. But the poll worker assisted
 14 her, but the father's the one still listed on the voter
 15 certificate as the assister.
 16 CHAIRMAN FERVIER: Sounds like Fulton County got
 17 caught up in some family dynamic.
 18 KAREN BASHUDA: There might have been some family
 19 dynamics, you know, we would ask either that this case
 20 be dismissed or a letter of instruction. And I think a
 21 lot of this is not necessarily that -- I think the
 22 training, everything is fine. I think there just needed
 23 to be probably a little bit more assertiveness with the
 24 poll worker, and even though there was some family
 25 dynamic going on.

Page 59

1 CHAIRMAN FERVIER: Is Ms. Mahone online? Ms.
 2 Mahone, can you hear us?
 3 MS. MAHONE: Hey, good morning. Can you hear me?
 4 CHAIRMAN FERVIER: Yes, would you just like to
 5 confirm exactly what happened there?
 6 MS. MAHONE: Yes, I would like to agree with what
 7 she stated is what happened. I was called up to assist
 8 the voter and she was having difficulty using the
 9 equipment. By the time I came involved, the card had
 10 already been created by the poll worker on the poll pad,
 11 and I asked her when I came up, because I did see that
 12 it wasn't connected, as she already stated, it wasn't
 13 connected.
 14 The ATS machine was working, it just wasn't
 15 connected to the card. I asked her if we could go back
 16 to the poll pad station, and, like, as she stated, there
 17 was some type of family dynamic. I don't know what was
 18 happening, but she didn't want to go back. She didn't
 19 want to return. She didn't want the assistance from her
 20 dad, and she was like, will you just please help me?
 21 Will you please help me?
 22 It seemed to be a lot in that moment, and so I did
 23 proceed with assisting her with voting, and she was able
 24 to cast her ballot. So that is essentially what took
 25 place.

Page 60

1 CHAIRMAN FERVIER: Any more questions? Chair will
 2 entertainer a motion.
 3 MEMBER KING: I make a motion we --
 4 CHAIRMAN FERVIER: I'm sorry?
 5 MEMBER KING: -- Sorry, go ahead.
 6 MEMBER GRUBBS: So the -- the audio tactile
 7 interface is what was not working correctly, was that
 8 addressed?
 9 KAREN BASHUDA: So it was working if the card had
 10 been programmed for it. So and I think Nadine's on the
 11 line. She can explain that technical part better than I
 12 can, but the card has to be programmed to use the ATI.
 13 And since it hadn't been, it wouldn't connect with card.
 14 CHAIRMAN FERVIER: Program for assistance --
 15 MEMBER GHAZAL: Can I confirm that that request has
 16 to be made at check-in of the yes check-in?
 17 KAREN BASHUDA: It was checked in as voter
 18 assistance required, and the father signed that part of
 19 --
 20 MEMBER GHAZAL: And there -- as far as we know,
 21 there was no request made at check-in to use the
 22 assistance equipment?
 23 KAREN BASHUDA: Not that I'm aware of, not the
 24 information that I got from the poll workers that they
 25 recall.

Page 61

1 CHAIRMAN FERVIER: Chair will entertain a motion.
 2 MEMBER KING: Yeah, I make a motion we issue a
 3 letter of instruction.
 4 EXECUTIVE DIRECTOR MILLS: Did Nadine want to say
 5 anything?
 6 MS. NADINE: I am on the call.
 7 CHAIRMAN FERVIER: If the board doesn't have any
 8 questions, we'll --
 9 MEMBER GRUBBS: Well, I have a question, and it's
 10 unrelated to this matter, but since Ms. Williams is on
 11 the line, I'd like to see if she would remain on the
 12 line for another matter.
 13 CHAIRMAN FERVIER: Another matter?
 14 MEMBER GRUBBS: Uh-huh.
 15 CHAIRMAN FERVIER: Okay.
 16 KAREN BASHUDA: Is that getting added to the agenda
 17 that we have notice for any matter?
 18 MEMBER GRUBBS: Well, there was an emergency
 19 complaint that's -- that has come in overnight, and then
 20 I would like to add that --
 21 KAREN BASHUDA: I do not know anything about it.
 22 CHAIRMAN FERVIER: Let's -- let's -- let's resolve
 23 this one. We have a motion to issue a letter of
 24 instruction on this. Is there a second?
 25 MEMBER GRUBBS: Second.

Page 62

1 CHAIRMAN FERVIER: There's a motion to second to
2 issue a letter of instruction. Any discussion? Hearing
3 no discussion, all those in favor signify by saying aye.
4 Any opposition? Hearing no opposition, so moved.
5 Ms. Williams, we appreciate you attending. We just
6 had no questions for you, so thank you.
7 EXECUTIVE DIRECTOR MILLS: Were you going to
8 address the thank you with Ms. Williams about the
9 emergency?
10 CHAIRMAN FERVIER: I don't even know what this is
11 about.
12 MEMBER GRUBBS: It was email, I'm pretty sure you
13 got a copy of it.
14 CHAIRMAN FERVIER: If it was given last night, I
15 didn't
16 MEMBER GHAZAL: And it was also -- No, the Chair --
17 Neither you nor I received it, Mr. Chairman.
18 CHAIRMAN FERVIER: Okay. I don't really --
19 MEMBER GRUBBS: I just forwarded it to you. I
20 mean, I'm not saying that we need to hear the complaint
21 per se, but I think we need to address investigating the
22 complaint.
23 CHAIRMAN FERVIER: Let's not do that here.
24 MEMBER GRUBBS: That's fine.
25 CHAIRMAN FERVIER: Okay. All right. Thank you.

Page 63

1 We're done. Henry County, are they ready? Okay. We
2 have two more cases to hear of Henry County. We got to
3 get them online. Chair will entertain a motion for a
4 short break. Are you Henry?
5 MEMBER KING: Are you representing the county, or
6 are representing yourself.
7 UNIDENTIFIED SPEAKER: Myself.
8 CHAIRMAN FERVIER: Okay. We need the county up.
9 We'll be back -- the Chair will entertain a motion for a
10 short break.
11 MEMBER GHAZAL: So move.
12 CHAIRMAN FERVIER: And with that dissent, we will
13 break for approximately five to seven minutes, about
14 10:40. Thank you.
15 (Whereupon, a break was taken during the
16 proceeding.)
17 CHAIRMAN FERVIER: Next item on the agenda is SEB
18 2022-107, Henry County, redistricting issues. Mr.
19 Executive Director. 40.
20 EXECUTIVE DIRECTOR MILLS: On June 6th, 2022, the
21 Georgia Secretary of State's office assigned a complaint
22 alleging election errors that occurred in the May 24th,
23 2022, Board of Education District 4 general primary
24 election race. It is alleged during the redistricting
25 process, 140 voters from District 3 were moved to

Page 64

1 District 4, but were mistakenly given District 3
2 ballots.
3 The complaint included the following supporting
4 documents. Letter dated June 7th, 2022, from Amika
5 Pitts. Contest petition filed in Henry County Superior
6 Court on June 13th, 2022. Henry County Elections and
7 Voter Registration notice dated May 27th, 2022. Email
8 dated June 11th, 2022. Address to Secretary of State's
9 office and others.
10 On August 19, 2022, Dr. Deborah Sykes filed a
11 subsequent complaint with a copy of the May 24th, 2022,
12 general primary election certification.
13 CHAIRMAN FERVIER: The complainant is Dr. Deborah
14 Sykes. The respondent is Henry County Elections and
15 Registration Office, and Amika Pitts Banks, a former
16 director. The complaint was substantiated by the
17 investigation team. Is Henry County available and also
18 Amika Pitts?
19 RACHEL MACK: Yes, Mr. Chair. My name is Rachel
20 Mack and I'm the county attorney for Henry County,
21 Georgia, and I represent the Henry County Board of
22 Elections and Voter Registration.
23 CHAIRMAN FERVIER: Is Ms. Pitts Banks available?
24 RACHEL MACK: I have no idea. Ms. Pitts Banks no
25 longer works with the county. She left around 2024.

Page 65

1 CHAIRMAN FERVIER: I'm sorry, I didn't hear that.
2 SEAN WHITE: She left in 2024. She no longer works
3 with the county.
4 CHAIRMAN FERVIER: Are you representing Ms. Pitts
5 also?
6 RACHEL MACK: No, just the Board of Elections and
7 Voter Registration.
8 CHAIRMAN FERVIER: Great. Please proceed then.
9 RACHEL MACK: Based off of the -- we reviewed of
10 the initial file from the investigations. And
11 unfortunately I'm relatively new to Henry County and we
12 have all new leadership, so no one was familiar with
13 this incident that occurred. So all we can do is go
14 with what the findings were for the investigator.
15 However, I will say that Henry County is committed
16 to following all of the laws, the rules and regulations,
17 and the guidance provided for all of the elections. And
18 as well as there are now structured operating procedures
19 in place and checklists that prevent what happened in
20 the election from happening again. That's our
21 commitment to Henry County.
22 CHAIRMAN FERVIER: So you've read the allegations
23 that there were 140 voters that were redistricted
24 incorrectly. Do you deny that? Do you accept that?
25 RACHEL MACK: Since I don't have any firsthand

Page 66

1 knowledge and none of my members have any knowledge of
 2 it, I really can't confirm or deny what was found. But
 3 if we're going to rely on the report of the
 4 investigator, that's all I can do. I can't confirm or
 5 deny it.

6 CHAIRMAN FERVIER: The investigation revealed that
 7 electors who had been moved to District 4 were
 8 incorrectly issued District 3 ballots. The error was
 9 discovered on May 11th, 13 days before the May 24th
 10 general primary election day. Dr. Sykes ultimately lost
 11 the race by 93 votes. The court petition contesting the
 12 election was filed by the Superior Court.

13 The court issued its decision on September 29th
 14 dismissing the petition on the grounds the election
 15 contest must be filed within five days of certification.
 16 In this case, it was filed 13 days after certification.
 17 So it apparently did occur.

18 MEMBER KING: So based on what we're reading, the
 19 outcome of the election could have been impacted by this
 20 error. Ms. Mack, did you reach out to Amika Pitts to
 21 try to get any understanding of this on this case?

22 RACHEL MACK: We do not have any contact
 23 information from Ms. Pitts.

24 MEMBER KING: So you weren't able to speak to
 25 anyone that was around during the time that this

Page 67

1 happened?

2 RACHEL MACK: That's correct.

3 MEMBER KING: Is everyone gone, like they've moved
 4 on and they don't have contact information?

5 RACHEL MACK: As far as I could find, we don't have
 6 any of the contact information for anyone that was here
 7 during the 2022 cycle. All the people that are
 8 currently working for the elections board and staff can
 9 be in 2025.

10 CHAIRMAN FERVIER: And Ms. Pitts explained -- Ms.
 11 Pitts explained there are 140 voters adversely affected
 12 and were given District 3 ballots after being
 13 redistricted to District 4. She acknowledged it
 14 happened and provided no further context besides the
 15 situation being an honest mistake and was without intent
 16 or malice.

17 MEMBER GHAZAL: Mr. Chairman?

18 CHAIRMAN FERVIER: Yes.

19 MEMBER GHAZAL: If I recall correctly, Ms. Pitts
 20 was removed from her position during the early voting
 21 period in 2024 by the superintendent and replaced. At
 22 the appropriate time, I would make a motion to refer
 23 this to the Attorney General's office.

24 MEMBER GRUBBS: Second.

25 MEMBER GHAZAL: At the appropriate time.

Page 68

1 CHAIRMAN FERVIER: I just want to see if there's
 2 anything else in here. The voters adversely impacted
 3 were unable to vote in the District 4 board education
 4 race also. Any further questions?

5 MEMBER GHAZAL: I would make one comment, which is
 6 that I would -- if we are having an ongoing list of
 7 recommendations to the legislature, I believe, I
 8 understand the policy of wanting finality as quickly as
 9 possible. A five-day window for challenging the outcome
 10 of an election, I believe is prohibitively short.
 11 Especially for candidates in smaller races.

12 I would request that the legislature consider
 13 extending that to 10 days, simply to allow for
 14 candidates to acquire appropriate counsel in time.
 15 Because this is the clearest possible grounds for
 16 overturning an election.

17 CHAIRMAN FERVIER: If you'd like to write up a
 18 resolution and have this board consider it, send it to
 19 the legislature, they'd be more than happy to do so.

20 MEMBER GRUBBS: Well, as it happens, I emailed you
 21 my list of recommendations to the legislature, and we
 22 can just add it to the list.

23 CHAIRMAN FERVIER: Okay.

24 EXECUTIVE DIRECTOR MILLS: Mr. Chairman, I
 25 apologize. I just want to point out one very important

Page 69

1 thing here, and that is that this investigation,
 2 according to the report, was assigned on June 6th, 2022.
 3 We're hearing it today. I've been begging for cases for
 4 the last five months from the Secretary of State's
 5 office. And the date of this report says it was
 6 November 3rd, 2025.

7 So while I've been begging for these cases, this
 8 has been sitting somewhere. And it's not just this one
 9 case, but the reason I'm highlighting this one case is
 10 this infuriates me that a person, I don't care what
 11 race, what party you're from, they ran a race, they
 12 could have won, and because somebody didn't follow
 13 through quickly and do their job, we're talking about
 14 this in 2026 and it happened in 2022. And I hope every
 15 one of us are a little upset about that.

16 MEMBER GRUBBS: Well, I would like to also add that
 17 I don't know what the packet looks like that the
 18 Secretary of State provides to candidates, but are there
 19 any people that have run for office here? Anybody in
 20 the room? Because what I would be curious to find out
 21 is are candidates notified of their rights in the event
 22 that there is their election issues? Are they told how
 23 many days that they have to contest an election? Are
 24 they told the process to go through?

25 So that brings up that issue. I think that we need

Page 70

1 to ask that the Secretary of State put that in for
2 distribution to the counties that candidates understand.
3 Ms. Dover, do you know if candidates are given their
4 rights as far as being a candidate by anybody?
5 MS. DOVER: (Indiscernible due to audio volume.)
6 MEMBER GRUBBS: Do you know if it includes their
7 rights as far as their election, like the right to have
8 poll watchers or the right to, you know, the
9 notification deadline or what to do in case they
10 question their election?
11 MS. DOVER: I'm not sure what (indiscernible).
12 MEMBER GRUBBS: But there's no pamphlets that
13 you're aware of that the Secretary --
14 MS. DOVER: My experience with what we give our
15 candidates, we give information about the campaign and
16 things like that. And they still don't read it. So we
17 sort of -- we sort of give all that back (indiscernible)
18 and they're not reading it. We still have campaign time
19 violations left and right. So the information I feel
20 like is there, if somebody would just read it.
21 MEMBER GRUBBS: Yeah, I think it would probably be
22 a good idea to have candidates sign an acknowledgment
23 that I received this, this, this, this, and this, and
24 I'm aware of this, this, this, and this, and make them,
25 you know. Unfortunately people just tend not to read

Page 71

1 things like that. I get that. But I agree with Member
2 Ghazal that five days to be able to review election
3 results is just -- I don't know where they came up with
4 five days, but you can't hardly do anything in five days
5 when it comes to reviewing. Especially when you have
6 instances where counties don't turn over information or
7 it takes -- you have to do it by ORR and then there's a
8 three-day lag time and that's if you get it on time.
9 Knowing Ms. Dover and what a great election
10 director she is, I'm sure she's on top of that, but you
11 do have some offices where they clearly don't turn that
12 information over and the only way they have to get it is
13 through an ORR. So I would like to see us, because of
14 situations like this, put that on the legislative list
15 and then also ask that the Secretary of State take steps
16 to notify candidates of what their rights are because
17 candidates do have rights.
18 EXECUTIVE DIRECTOR MILLS: They do have rights,
19 Member Grubbs, and you make an excellent point. But I
20 want us to see the clear picture of what happened here.
21 This person could or could not have won the race. She
22 filed a complaint in Superior Court. The judge then
23 made the proper legal ruling she didn't do it within
24 five days. She was eight days late.
25 Then she made her complaint with us and it went to

Page 72

1 the Secretary of State's investigator and it sat and it
2 sat and it sat and somebody read this, that the Superior
3 Court had thrown this out and she was eight days late.
4 Advocate for the citizen and that's all I'm doing right
5 here today is I'm just saying, this is inexcusable.
6 And, you know, I realize everything can't be done in a
7 timely fashion. I realize they're humans. There's
8 going to be human error involved, but this business of
9 these late cases is just over the top.
10 MEMBER GRUBBS: Well, it's our job to investigate
11 cases and when we don't know what cases are in existence
12 we need to be able to prioritize things. There are some
13 cases that clearly have more, I don't want to say more
14 importance because I take every complaint seriously, but
15 there are some that are more time sensitive than others.
16 And if we don't have a list of those and know what the
17 possible violations are or we don't know what the status
18 it's like the one that came up yesterday, it was a 2021
19 complaint and phone calls weren't even made until 2025.
20 We have to be able to prioritize these cases.
21 EXECUTIVE DIRECTOR MILLS: As soon as we got them -
22 - the SEB got them -- as soon we got them, they're on
23 the agenda and that's why you're seeing it quickly now.
24 But it took us this long to get them and that's my
25 point. And we're right back at it again, Mr. Chairman.

Page 73

1 We're begging for cases again. When I came on a year
2 ago we were being berated, this board was being beat up
3 in the press, it was being a false narrative presented
4 that there was a backlog of cases with the SEB, not
5 true. The backlog was in the SOS.
6 CHAIRMAN FERVIER: Chair will entertain a motion on
7 this case.
8 MEMBER GHAZAL: I move we refer this to the
9 Attorney General's office.
10 MEMBER GRUBBS: I second.
11 CHAIRMAN FERVIER: Let me do my job.
12 MEMBER GRUBBS: I'm sorry.
13 CHAIRMAN FERVIER: We have a motion to refer
14 SEB2022-107 to the Attorney General. Is there a second?
15 MEMBER GRUBBS: Second.
16 CHAIRMAN FERVIER: We have a motion and a second.
17 Any discussion? Hearing no further discussion, all
18 those in favor signify by saying aye. Any opposition?
19 Hearing no opposition, so moved by a vote of four to
20 zero. Final case on the agenda is SEB2022-363 Henry
21 County, deceased voter, voter registered in Georgia and
22 Florida. It's tab number 41.
23 EXECUTIVE DIRECTOR MILLS: On December 16th, 2022,
24 the Georgia Secretary of State's office opened an
25 investigation after it received two separate complaints

Page 74

1 related to a potential deceased voter and a voter being
 2 registered in more than one state. Potential violations
 3 of official code of Georgia Annotated 21-5-562,
 4 subsection one, fraudulent entries, and 21-2-217(2) (13),
 5 rules for determining residents respectively. A
 6 Complainant One and Complainant Two.

7 CHAIRMAN FERVIER: Well, the respondents -- Yeah,
 8 the complainant is Lou Anne Fessmeyer [ph], Supervisor
 9 of Henry County Elections and Voter Registration.
 10 Respondent for Complainant Number One, there's an
 11 unknown respondent for Complaint Number One. And the
 12 respondent for Complaint Number Two is Phoebe Robinson.
 13 Is Ms. Robinson available? All right. Just a moment,
 14 Ms. Robinson. Let's deal with Complaint Number One
 15 first. The Complaint Number One was substantiated.
 16 Unfortunately, there was no -- they couldn't identify
 17 the violator.

18 MEMBER GHAZAL: Mr. Chairman?

19 CHAIRMAN FERVIER: Yes.

20 MEMBER GHAZAL: I just want to confirm that I read
 21 this correctly, that the county did properly identify
 22 the ballot as being from a voter who had deceased and
 23 the ballot was not counted.

24 CHAIRMAN FERVIER: Correct.

25 MEMBER GHAZAL: Okay. I wanted to make sure that

Page 75

1 that was clear.

2 CHAIRMAN FERVIER: They could not identify who
 3 signed it though. And it didn't match any of the
 4 signatures of close relatives.

5 MEMBER KING: I can make a motion on Complaint
 6 Number One.

7 CHAIRMAN FERVIER: Okay. Chair will entertain a
 8 motion on Complaint Number One.

9 MEMBER KING: I make a motion that we issue
 10 Complaint Number One to the Attorney General's Office
 11 for further investigation. Because, I mean, we need to
 12 find out who did this, right?

13 CHAIRMAN FERVIER: The problem is they don't
 14 investigate. They don't investigate, so. So the --
 15 Yeah, we can -- we can continue that one.

16 MEMBER KING: Yeah, I'll amend my motion. My new
 17 motion is that we continue Complaint One and allow our
 18 investigators to look into this.

19 CHAIRMAN FERVIER: We have a motion to continue
 20 Complaint Number One. Is there a second?

21 VICE CHAIR JOHNSTON: Second.

22 CHAIRMAN FERVIER: We have a motion and a second.
 23 Any discussion?

24 MEMBER GHAZAL: What further actions are you
 25 recommending?

Page 76

1 CHAIRMAN FERVIER: Just see if they can identify --
 2 not all the family members were able to be contacted.
 3 Possibly they were unable to make contact with Ms.
 4 Steele by phone. The wife of the son, I guess the
 5 daughter-in-law, so.

6 MEMBER KING: I mean, if no one responds, then . .
 7 .

8 CHAIRMAN FERVIER: Yeah. It's just some further
 9 investigation to see if they're able to identify
 10 somebody.

11 MEMBER GRUBBS: I'm not clear on how much time
 12 elapsed from when the person died and this election, or
 13 maybe I'm just not seeing it.

14 MEMBER GHAZAL: The decedent passed on October
 15 24th. And the ballot was received December 5th.

16 MEMBER GRUBBS: So it was close. I mean,
 17 relatively close. I would tend to agree with you, but
 18 my mail at work sometimes takes two months.

19 MEMBER KING: I didn't think it took two months for
 20 the ballot to come in.

21 MEMBER GRUBBS: I mean, it is possible that she did
 22 it. I mean, my thought is that for one thing, we don't
 23 have a handwriting expert.

24 MEMBER KING: The investigation would call the
 25 additional family members that weren't contacted.

Page 77

1 MEMBER GRUBBS: I mean, I'm fine with continuing
 2 it. I just don't know what it's going to yield.

3 MEMBER KING: So what would you recommend,
 4 dismissing it?

5 MEMBER GRUBBS: Oh, no.

6 MEMBER KING: So what --

7 MEMBER GRUBBS: I'm not a dismissal person.

8 MEMBER KING: So what would you recommend?

9 MEMBER GRUBBS: I mean, I'm fine with continuing it
 10 and doing further investigation. I just kind of don't
 11 know that it's going to go anywhere. The only thing
 12 that raises a red flag to me is that she discontinued
 13 the conversation and hung up the phone. So that's
 14 concerning, but.

15 MEMBER KING: I mean, if you send it to the AG's
 16 office, you're not going to do anything but . . .

17 MEMBER GRUBBS: No, I'm fine with having our
 18 investigators look at it.

19 EXECUTIVE DIRECTOR MILLS: Well, if we send this to
 20 the SOS investigators, you might see it before you
 21 rotate off the board, or you might not. If our
 22 investigators look into this, I mean, I'm sure they
 23 would get on it. But I also say to you that we've got,
 24 you know, a limited number of two, and they, you know, I
 25 definitely want them doing the important things, not

Page 78

1 what I would call jaywalking.

2 MEMBER GRUBBS: Well, voting for dead voters is

3 pretty significant.

4 EXECUTIVE DIRECTOR MILLS: It is.

5 MEMBER GRUBBS: I'm sorry, dead voter doesn't sound

6 right.

7 MEMBER GHAZAL: Decedent.

8 MEMBER GRUBBS: Decedent, yes.

9 MEMBER GHAZAL: Election fraud.

10 CHAIRMAN FEVER: It seems obvious that somebody

11 signed it. She died on October 24th, didn't get mailed

12 until December 2nd. Somebody else signed it. The

13 question is who signed it, and they weren't able to

14 identify who signed it. They weren't able to talk to

15 all the family members. So our investigators would just

16 try and make contact with the family members that they

17 weren't able to contact and see if that's -- So, we have

18 a motion to continue. We have a second to continue.

19 All those in favor signify by saying aye. Any

20 opposition? Hearing no opposition, so moved. We'll

21 continue Complaint One.

22 Now, Complaint Two is Ms. Robinson. Phoebe

23 Robinson. Ms. Robinson, would you come up here and

24 identify yourself, please, for the court reporter. And

25 then any statement that you would like to make, please.

Page 79

1 Please, speak into the mic so everybody can hear you

2 there.

3 EXECUTIVE DIRECTOR MILLS: Good morning. I'm

4 Phoebe Robinson, here for the chair and the board to

5 explain this letter where I received the hearing

6 reference me of voting in dual places in Georgia and

7 Florida. I moved up here in '19, but I didn't give up

8 my Florida residence. I commute to Florida and Georgia.

9 I have a home in Georgia and I have a home in Florida.

10 And there was an election that was really important

11 in my neighborhood in Hampton. And I did want to vote

12 and I went to the elections to find out if I could vote

13 and they told me I could. I just had to bring my tax

14 bill, my identification, and I would be able to vote at

15 the municipal place where I live and that's what I did.

16 MEMBER KING: In Florida or Georgia?

17 PHOEBE ROBINSON: In Georgia.

18 MEMBER KING: Georgia. Okay.

19 PHOEBE ROBINSON: So, at that time, I showed them

20 my Florida license. I let them know that I'm keeping my

21 Florida license, a Florida residency, but I'm here in

22 Georgia as well and it's a dual residency. I go to

23 Florida partially and I live in Georgia part-time. Also

24 in reviewing this here, I noticed they made comments

25 that I was voting in Florida and Georgia, as well as odd

Page 80

1 and even years, which doesn't make sense whatsoever.

2 Once I started voting in Georgia, I was -- you

3 know, so I could only vote in one place, Georgia or

4 Florida, so I decided to vote in Georgia. All my voting

5 has been in Georgia since the time I registered and

6 actually voted. In fact, I pulled up my voter status in

7 Broward County in Florida to even see what it showed and

8 it says there's no record found. They don't even show

9 me as a voter in Florida.

10 All my voting has been here in Georgia once I

11 started voting and I vote right there in Hampton,

12 Georgia and that's in Hampton, Georgia, even the early

13 voting is at the church there that I attend. I have no

14 intentions, never have and never will to defraud or try

15 to vote in multiple places and I think voting is very

16 important, so I do want to vote and that was my only

17 intent is to be able to legally cast my ballot.

18 MEMBER KING: When was the last time you remember

19 voting in Florida?

20 PHOEBE ROBINSON: I don't recall, maybe 2019 or

21 2018.

22 MEMBER KING: Okay. So the first time you remember

23 -- or the last time you remember voting in Florida was

24 either 2018 or 2019. And the first time you voted in

25 Georgia was also 2019?

Page 81

1 PHOEBE ROBINSON: I think, according to this, it

2 was 2020.

3 MEMBER KING: Oh, 2020. Okay.

4 PHOEBE ROBINSON: I don't remember the --

5 MEMBER KING: You registered in Georgia in 2019?

6 PHOEBE ROBINSON: I bought my house in Georgia

7 there, in '19.

8 MEMBER KING: Okay. Okay. So --

9 PHOEBE ROBINSON: And I've been back and forth

10 since then and I've been voting and showing my Florida

11 driver's license every time I vote. I've never been

12 turned down. I've never been told I was in violation or

13 anything or I would have addressed it.

14 MEMBER KING: Okay. Thank you.

15 CHAIRMAN FEVER: So this says that you voted in

16 Georgia in the following years. 2024, 2023, 2022, 2021,

17 2020, 2019, 2018, and 2017. It says you've been voting

18 in Georgia since 2017.

19 PHOEBE ROBINSON: Well, I had a house in Georgia

20 here as well.

21 CHAIRMAN FEVER: Would you agree you've been

22 voting in Georgia since 2017?

23 PHOEBE ROBINSON: I don't recall -- I don't know

24 the exact year, but I've been -- once I started voting

25 and got my voter's registration here, I have continued

Page 82

1 to vote and vote on a regular basis.

2 CHAIRMAN FERVIER: And it also says that you voted

3 in Florida in 2020, 2018, and 2016.

4 EXECUTIVE DIRECTOR MILLS: Now, I've only voted in

5 one location. Because, like I said, I think I had made

6 a vote there and then once I got my voter's registration

7 here in Georgia, I no longer voted there. I only voted

8 in Georgia.

9 CHAIRMAN FERVIER: But it says you voted in the

10 2020 presidential primary in Florida. 2020, it says you

11 voted in the 2020 presidential primary in Florida in

12 March of 2020. And in Georgia, in the 2020 presidential

13 primary, that was postponed until May because of COVID.

14 And it actually postponed until June. It was postponed

15 twice. So it says you voted in the primary in Florida

16 in 2020, March 2020, and voted in Georgia in the primary

17 in June of 2020.

18 PHOEBE ROBINSON: I don't recall that, and I know I

19 wouldn't vote within three months' time for the same

20 election. That doesn't even make sense. And I know

21 that I can only vote, especially for presidential, you

22 know, one time. You know, either I'm going to vote in

23 Georgia or I'm going to vote in Florida. And I've been

24 voting, once -- like I said, I've been voting in

25 Georgia. It has been in Georgia.

Page 83

1 MEMBER GHAZAL: Mr. Chairman?

2 CHAIRMAN FERVIER: Yes.

3 MEMBER GHAZAL: If I recall correctly, the 2020

4 primary in Georgia actually was combined. It was both

5 the presidential preference primary and the general

6 primary. With the multiple changes, it was extremely

7 confusing, even for very high-information voters. So

8 there were two separate elections that were run.

9 And they were actually treated as separate

10 elections, I believe, because some people voted in the

11 presidential preference primary in March before it got

12 shut down, and then they were only eligible to vote in

13 the general primary. I think I'm remembering this

14 correctly. They were run coterminously. But they were

15 actually separate ballots. I don't know how that was

16 necessarily recorded in ENET, because it was ENET at the

17 time.

18 CHAIRMAN FERVIER: I think the problem is that

19 within three months she voted in both Florida and

20 Georgia, allegedly, in presidential primary seats.

21 MEMBER GHAZAL: I mean, it's entirely possible to

22 change residency within three months if you move from

23 one state to the other. According to this, they were

24 both presidential preference primary votes. It's not

25 entirely clear how that was recorded. And I think,

Page 84

1 actually, I would like to clarify that. I would like to

2 make sure that that May, June, Georgia vote was, in

3 fact, for the presidential preference primary and not

4 for the general primary.

5 CHAIRMAN FERVIER: You know, like I said earlier,

6 apparently she voted in Georgia from 2017 through 2024

7 every year. And she voted in Florida -- I'm sorry, this

8 is what the report says --

9 PHOEBE ROBINSON: No problem.

10 CHAIRMAN FERVIER: And it alleges that she voted.

11 So, continually from 2017 to 2024 in Georgia and then

12 voted in Florida in 2016, 2018, and 2020, which, you

13 know, two of those years are same years she voted in

14 Georgia, according to the report.

15 MEMBER GHAZAL: Right.

16 VICE CHAIR JOHNSTON: Ms. Robinson, what state are

17 you a resident of?

18 PHOEBE ROBINSON: My primary residence is Florida.

19 VICE CHAIR JOHNSTON: Is Florida.

20 PHOEBE ROBINSON: Right. And my other residence is

21 Georgia. I feel just like the snowbirds that come in

22 part of the year and part of the year they're gone.

23 VICE CHAIR JOHNSTON: Do you have a Georgia

24 driver's license?

25 PHOEBE ROBINSON: No, ma'am. You can only have one

Page 85

1 license.

2 VICE CHAIR JOHNSTON: Do you realize that you have

3 a limited amount of time to keep a Florida driver's

4 license if you're living in Georgia?

5 PHOEBE ROBINSON: I go to Florida half of the year

6 and half the year I'm in Georgia.

7 CHAIRMAN FERVIER: Where's your homestead?

8 PHOEBE ROBINSON: In Florida.

9 VICE CHAIR JOHNSTON: Ms. Robinson, you can only be

10 a resident of one state. And if you're not a resident

11 of one state, Georgia, you're not eligible to register

12 to vote or to vote.

13 PHOEBE ROBINSON: Well, I wasn't made aware of

14 that. And like I said, if that be the case, you know,

15 I'm going to exercise my vote. And if it has to be in

16 Florida, then I'll vote in Florida. But I was told I

17 could vote in Georgia. And therefore, that's what I was

18 doing.

19 And each time I went to vote, in fact, even this

20 year, I showed my Florida driver's license. And my

21 residence where I live here in Georgia as well. No one

22 has said it was a problem or that I could not vote or I

23 would not have voted or I would have voted in Florida.

24 But I'm going to vote. But I just need to know if I

25 can't vote here, then let me know. And I won't vote

Page 86

1 here. That's not a problem. The problem is the fact
 2 that I do want to vote. And I want to vote legally.
 3 VICE CHAIR JOHNSTON: Exactly. Exactly. But you
 4 can only vote in the state that you're a legal resident
 5 of, which is Florida. And we want you to vote, but we
 6 want you to vote in Florida. If you move to Georgia and
 7 you change your residence to Georgia, you have every
 8 right to change that residence, change your driver's
 9 license, register to vote, and vote in Georgia. But you
 10 cannot go back and forth just at will and not be a legal
 11 resident of the state and properly registered.
 12 PHOEBE ROBINSON: Well, like I said, I have my
 13 residency. And when I went to register to vote, to be
 14 able to vote, I gave them the same information. I gave
 15 them the same credentials I have today. No one said I
 16 couldn't. No one said I was in violation that I
 17 couldn't vote. I mean, they issued me a voter's card
 18 with the information that was given.
 19 MEMBER GRUBBS: So do you have a voter's card when
 20 you go to --
 21 PHOEBE ROBINSON: Yes, ma'am.
 22 MEMBER GRUBBS: -- check in in Georgia to vote? Do
 23 you show them your voter card or do you show them your
 24 driver's license?
 25 PHOEBE ROBINSON: I show them my driver's license.

Page 87

1 I have the voter's card. I think I misplaced it, but I
 2 do have an actual Georgia voter's card.
 3 CHAIRMAN FERVIER: When you registered in Georgia,
 4 what address did you use?
 5 PHOEBE ROBINSON: Originally, I was at 314 Megan
 6 Drive, Hampton, Georgia.
 7 CHAIRMAN FERVIER: You used your Georgia address?
 8 PHOEBE ROBINSON: Yes, sir.
 9 CHAIRMAN FERVIER: And when you registered in
 10 Florida, what address did you use?
 11 PHOEBE ROBINSON: I used 5116 Southwest 22nd
 12 Street, Hollywood, West Park, Florida.
 13 MEMBER GRUBBS: So you own both properties, right?
 14 PHOEBE ROBINSON: Yes, ma'am.
 15 MEMBER GRUBBS: And so do you claim homestead
 16 exemption for either one?
 17 PHOEBE ROBINSON: No, I don't.
 18 MEMBER GRUBBS: Not for either one?
 19 PHOEBE ROBINSON: I just pay the taxes, but I don't
 20 pay -- I don't have homestead.
 21 CHAIRMAN FERVIER: You don't claim homestead on
 22 either one?
 23 PHOEBE ROBINSON: In Florida, I do, but not in
 24 Georgia.
 25 CHAIRMAN FERVIER: In Florida. You're legally a

Page 88

1 resident of Florida. You are. For legal purposes,
 2 you're a resident of Florida, not Georgia. Because
 3 that's where you claim your homestead.
 4 PHOEBE ROBINSON: Right.
 5 CHAIRMAN FERVIER: And that's where your driver's
 6 license is and everything else. Do you spend at least
 7 six months of the year in Florida?
 8 PHOEBE ROBINSON: Yes.
 9 CHAIRMAN FERVIER: Yeah, you're legally a resident
 10 of Florida, not Georgia. It doesn't matter if you go
 11 back and forth. Where you claim your homestead and
 12 where you spend most of your time, or at least six
 13 months of the year, that's where your legal residence
 14 is.
 15 MEMBER GRUBBS: Are you employed still?
 16 PHOEBE ROBINSON: No, I'm retired.
 17 MEMBER GRUBBS: You're retired.
 18 VICE CHAIR JOHNSTON: Ms. Robinson, you read well,
 19 I'm sure. Do you realize when you sign the oath to
 20 vote, every time you go in to vote, this is what the
 21 oath says in Georgia. I do swear that I am a citizen of
 22 the United States and the state of Georgia. Georgia.
 23 That I am eligible to vote in this election and that I'm
 24 not serving a sentence for a felony involving moral
 25 turpitude, that I have not been judicially declared

Page 89

1 mentally incompetent, and that the information I have
 2 provided is true.
 3 PHOEBE ROBINSON: Well, ma'am, that's correct. I
 4 am a citizen. I am. My residency in Georgia was the
 5 fact that I own property and I live here in Georgia. I
 6 have a voter's card where I went and requested and was
 7 approved for it, got it, and over many, many years no
 8 one has ever denied it or have told me I was in
 9 violation or that I could not vote here.
 10 MEMBER GRUBBS: So when you go vote, you present
 11 your Florida driver's license and no one's ever
 12 questioned it?
 13 PHOEBE ROBINSON: No, ma'am. No, ma'am.
 14 CHAIRMAN FERVIER: Have you ever had a Georgia
 15 license?
 16 PHOEBE ROBINSON: No, sir. I went to Georgia --
 17 You can only have one license at one state.
 18 VICE CHAIR JOHNSTON: Who told you you could vote
 19 in Henry County?
 20 PHOEBE ROBINSON: The elections department in
 21 McDonough, Georgia, where you go and do the application
 22 to vote.
 23 MEMBER KING: I do think that it is our personal
 24 responsibility to read what we're signing. I know that
 25 it's not something we -- I think we're all guilty of

Page 90

1 signing something and not necessarily reading it and
 2 going through it, but that is our personal
 3 responsibility. So that does fall on you.
 4 But I do believe that this is the county's fault.
 5 How is this possible that you're able -- I don't even
 6 know how that's possible, that the county is continuing
 7 to let you vote in Georgia with a Florida license.
 8 MEMBER GHAZAL: Yes. So I think -- Mr. Chairman, I
 9 think, I believe you had a good faith belief that you
 10 were a legal resident of Georgia.
 11 PHOEBE ROBINSON: Yes, ma'am.
 12 MEMBER GHAZAL: I agree that under the law that
 13 your residency is actually in Florida. I believe that
 14 you did not -- you were not -- you believed what you
 15 were signing, reading it, you believed it 100 percent.
 16 Out-of-state driver's licenses are wholly acceptable
 17 because the photo ID requirement under Georgia law
 18 proves identity, not residency. That's the way our law
 19 -- that's the way our law is written. And as long as it
 20 is an out-of-state valid driver's license, it is wholly
 21 lawful.
 22 I've said before, I know people don't necessarily
 23 agree with me, residency law is complicated. It is
 24 confusing. It is not -- there is not a crystal clear
 25 cut line. Based on the facts as laid out here, I do

Page 91

1 believe that you are a resident of Florida, not of
 2 Georgia. I do not believe that there was any intention.
 3 I believe that you were told that you had the legal
 4 right to vote here in Georgia.
 5 I believe that was an incorrect assessment on the
 6 part of the county. And I think the real violation here
 7 is an apparent double vote in the same election in two
 8 different states in 2020. And again, I'm not suggesting
 9 that you even were aware that that happened necessarily.
 10 I'm not fully convinced by what we have here that you,
 11 whether it's absolutely clear that you voted twice in
 12 the presidential preference primary because of the
 13 confusion of what happened in Georgia in 2020.
 14 Moving forward, if you were going to maintain your
 15 homestead exemption in Florida, register to vote in
 16 Florida, please. Do you register in Georgia, register
 17 to vote in Florida moving forward. We still have to
 18 address the violation at hand.
 19 CHAIRMAN FERVIER: And, Ms. Robinson, it's clear to
 20 me anyway that there's a violation of the code here
 21 because you voted in Georgia when you're a resident of
 22 Florida. Okay. I think that for me, though, I always
 23 want to understand the intent and the character of a
 24 person who's done something. Could you, for my sake,
 25 just give me a little bit about your background? Tell

Page 92

1 me about yourself.
 2 PHOEBE ROBINSON: Well, first and foremost, I'm a
 3 believer of God, and I feel like not only with man that
 4 I have a higher standard to do the right thing and
 5 righteous unto God. And I'm not going to try and
 6 defraud anybody in any way, shape, or form. I was a
 7 police officer for 11 years. Then I was a firefighter,
 8 lieutenant paramedic for 17 years. I've been a servant
 9 for the state for over 29 years. I've always tried to
 10 do the right thing.
 11 And it just really baffles me to even be here and
 12 feel like I did something wrong or I'm doing something
 13 wrong.
 14 CHAIRMAN FERVIER: Did you retire as a firefighter?
 15 PHOEBE ROBINSON: Yes, sir.
 16 CHAIRMAN FERVIER: Were you a firefighter in
 17 Georgia?
 18 PHOEBE ROBINSON: I was a firefighter, lieutenant
 19 paramedic for the Miami-Dade Fire Department.
 20 CHAIRMAN FERVIER: In what state?
 21 PHOEBE ROBINSON: Florida, Miami-Dade.
 22 CHAIRMAN FERVIER: Okay.
 23 PHOEBE ROBINSON: I did all my service working in
 24 Florida. And then when I retired, we bought a home here
 25 and we lived in Florida and in Georgia.

Page 93

1 CHAIRMAN FERVIER: And you were a police officer in
 2 Miami-Dade too?
 3 PHOEBE ROBINSON: Yes, sir, I was.
 4 CHAIRMAN FERVIER: Okay. All right.
 5 VICE CHAIR JOHNSTON: Now, are you a permanent
 6 resident of Georgia now?
 7 PHOEBE ROBINSON: I live in my -- I'm six months
 8 here and I'm six months there. I go back and forth.
 9 Usually when it gets really cold here, I go to Florida.
 10 MEMBER GHAZAL: It never gets really cold here.
 11 PHOEBE ROBINSON: It's cold for me. Very cold.
 12 MEMBER GHAZAL: I mean, Miami, absolutely.
 13 MEMBER KING: I know there's some that may disagree
 14 with this, but it just -- I guess that I like common
 15 sense and I understand how someone can think that
 16 they're a citizen of Georgia. If they have property
 17 here, they're here six months out of the year. And if
 18 you go to the counties and you ask them to register and
 19 they tell you it's okay, I can understand how that can
 20 be confusing, not considering where you have homestead
 21 and, like you said, all the intricate details around
 22 residency.
 23 So I agree with Member Ghazal that I don't think
 24 your intent was to defraud. I do think that you were
 25 misled by the counties. I think they should have asked

Page 94

1 additional questions prior to allowing you to register.
 2 VICE CHAIR JOHNSTON: So the proper thing to do
 3 would be to vote absentee by mail from Florida if you're
 4 a Florida resident. Not because you happen to be in
 5 Georgia during an election. To choose to vote in
 6 Georgia where you're not a legal resident is to reach
 7 out to your Florida home and get an absentee by mail
 8 ballot and certainly exercise your right to vote.
 9 PHOEBE ROBINSON: I will forth going. But like I
 10 said, I'm not even registered to vote in Florida
 11 anymore. So, but I will.
 12 CHAIRMAN FERVIER: Yeah, you need to change that.
 13 PHOEBE ROBINSON: Not a problem. Like I said, when
 14 you know better, you do better. That's all I can do.
 15 VICE CHAIR JOHNSTON: I have a motion. Mr. Chair,
 16 I move that we continue this case and add Henry County
 17 as a respondent.
 18 MEMBER KING: Should we release?
 19 VICE CHAIR JOHNSTON: And bring both parties back
 20 once the investigation is complete.
 21 CHAIRMAN FERVIER: I just want to comment. I have
 22 a special place in my heart for first responders and
 23 police officers and fire people and people that put
 24 their lives on the line every day for us. I also
 25 recognize that you violated the law -- violated the

Page 95

1 code, you know, the statute by doing that.
 2 And but somebody with a outstanding record deserves
 3 some grace from me every now and then. And I would be
 4 in favor of issuing a letter of reprimand to this
 5 individual, but I'm also okay with bringing it back. I
 6 just wanted to state that for the record, so.
 7 MEMBER KING: I'm okay with bringing it back. I
 8 will say that I don't -- I agree with the letter of
 9 reprimand for the complainant -- I mean the respondent
 10 considering what we're bringing it back so we can talk
 11 to the county about the registration process. We know
 12 that they were wrong in allowing her to register, but I
 13 don't know what more she will add to the conversation.
 14 You've already admitted that you made these
 15 decisions. Now you know that they're wrong. So I'm not
 16 sure what would be the point of bringing her back as
 17 well.
 18 CHAIRMAN FERVIER: We do have a motion on the table
 19 to --
 20 VICE CHAIR JOHNSTON: I'll withdraw my motion.
 21 CHAIRMAN FERVIER: Would you -- would you like to
 22 restate your motion to bring back Henry County. So we
 23 would add them as a respondent on this case and we would
 24 have to make a new motion on complaint --
 25 MEMBER KING: Two.

Page 96

1 CHAIRMAN FERVIER: Number Two, yeah.
 2 MEMBER KING: Yeah. I make a motion that we
 3 continue this case and add Henry County as the
 4 respondent. Do we need to do it as two separate motions
 5 or?
 6 CHAIRMAN FERVIER: No, I think we can do it all in
 7 one.
 8 MEMBER KING: And that we issue a letter of
 9 reprimand to Phoebe, is that your first name?
 10 PHOEBE ROBINSON: Yes.
 11 MEMBER KING: I'm sorry.
 12 PHOEBE ROBINSON: No problem.
 13 MEMBER GHAZAL: Ms. Robinson.
 14 MEMBER KING: To Ms. Robinson. I have it Aunt
 15 Phoebe. To Ms. Robinson.
 16 CHAIRMAN FERVIER: We have a motion to continue the
 17 case and add Henry County as a respondent for Complaint
 18 Number One, and to issue a letter of reprimand on
 19 Complaint Number Two to Ms. Robinson. Is there a
 20 second?
 21 MEMBER GHAZAL: Second.
 22 CHAIRMAN FERVIER: We have a motion and a second.
 23 Any further discussion? All those in favor signify by
 24 saying aye. Any opposition? Hearing no opposition,
 25 vote carries three to one. And I -- you know, Ms.

Page 97

1 Robinson so you will be issued a letter of reprimand.
 2 The reason being it's a serious violation because of the
 3 length of time and what occurred here with the Florida
 4 and Georgia thing. A letter of reprimand is not a
 5 criminal conviction.
 6 It's just a letter of reprimand saying you've done
 7 something serious that you'll be given in voting. I
 8 understand the intent. I understand all that. But it
 9 still occurred over quite a number of years and quite a
 10 number of times. And so that was the decision of the
 11 board on this one. Okay.
 12 MEMBER GRUBBS: Mr. Chairman?
 13 CHAIRMAN FERVIER: Yes, Member Grubbs.
 14 MEMBER GRUBBS: I would like to just point out the
 15 case number is 2022 and we're in 2026. And had this
 16 been brought to her attention sooner then it probably
 17 would not have been as big an issue, and she would be
 18 able to vote with a clear conscience in Florida and not
 19 be voting in Georgia.
 20 CHAIRMAN FERVIER: Yeah. The point noted. Thank
 21 you.
 22 MEMBER KING: Anytime you vote in a state when
 23 you're not a resident, you're canceling out a resident's
 24 vote. So that's what makes it really serious. So,
 25 yeah, so the letter of reprimand is in order.

Page 98

1 MEMBER GRUBBS: Also and this is an internal thing,
2 Ms. Robinson, this doesn't have anything to do with you,
3 but the case number is 2022 which is when it was opened.
4 The date of the report was September 3rd 2024. And I
5 don't understand why this is 2026 and we're just hearing
6 it because, you know, and I'm sure -- when were you
7 first notified that this was a situation?
8 PHOEBE ROBINSON: When they told me to come here
9 for this hearing.
10 MEMBER GRUBBS: You didn't even -- you didn't know
11 anything about it until then?
12 PHOEBE ROBINSON: Right. There was an
13 investigator. Someone called me and I almost didn't
14 take the call and I wasn't sure is that an investigator.
15 But he asked me about the election and I told him, you
16 know, I wouldn't dare vote in two places then as I was
17 voting in Georgia and not in Florida. It was a phone
18 call and that was it. I didn't hear anymore. They
19 didn't write me or say anything. They didn't tell me
20 this was forthcoming. They didn't tell me the results
21 of the conversation not until this year in May 11th I
22 received a letter to come here for a hearing.
23
24 MEMBER GRUBBS: May 11th of this year?
25 PHOEBE ROBINSON: Of this year.

Page 99

1 MEMBER GRUBBS: So my point is, as I say all the
2 time, justice delayed is justice denied. And it's for
3 the residents of the state of Georgia, as well as people
4 like yourself who is a person who worked hard, is
5 honorable, done the right thing, is terrified of the
6 fact that you maybe did something wrong. And the length
7 of time for this case to have been open to get to today
8 is ridiculous. And I'm sorry.
9 PHOEBE ROBINSON: Thank you.
10 DR. JOHNSTON: I would also like to share that in
11 the report, the investigative report, the supervisor of
12 Henry County knew of the situation with Ms. Robinson and
13 even relayed to the investigator that Ms. Robinson would
14 travel back and forth between two states and vote in
15 whichever state she was in at the time. I find it quite
16 alarming that a county supervisor is aware of this and
17 does not take the immediate opportunity to educate Ms.
18 Robinson to prevent Ms. Robinson from committing
19 election violations.
20 PHOEBE ROBINSON: If they told me not to, I would
21 not have.
22 VICE CHAIR JOHNSTON: Exactly. Exactly.
23 CHAIRMAN FERVIER: The individual involved was
24 Amika Pitts-Banks.
25 VICE CHAIR JOHNSTON: Well, the person named is not

Page 100

1 Amika Pitts-Banks.
2 CHAIRMAN FERVIER: No. No, she was the executive
3 director of Henry County at the time.
4 MEMBER GHAZAL: They don't have any notice of this,
5 because --
6 CHAIRMAN FERVIER: They're not named.
7 MEMBER KING: They aren't named.
8 MEMBER GHAZAL: They're not named?
9 CHAIRMAN FERVIER: Yeah. All right. Any further
10 comments on this case? No. Thank you. Thank you for
11 your service as a police officer and a firefighter and
12 an EMT.
13 PHOEBE ROBINSON: You're very welcome. My
14 pleasure.
15 CHAIRMAN FERVIER: That finishes our cases. We're
16 going to go back and clean up some of the old business
17 and new business that we were not able to hear
18 yesterday. The first item that we will consider is a
19 petition by Member King, a resolution by Member King
20 that she submitted to the board. Since the public has
21 not had access to this, if you would read it out,
22 please.
23 MEMBER KING: Yes. So I submitted a resolution to
24 the board for their consideration and for discussion.
25 It says, it starts with rationale. The integrity of our

Page 101

1 electoral process rests on fundamental pillars,
2 including accountability and transparency.
3 As we approach the upcoming elections, the legal
4 and administrative status of our primary voting
5 equipment, especially the utilization of QR codes for
6 ballot tabulation, faces severe legal uncertainty.
7 Without a guarantee extension permitting the continued
8 use of the Liberty Vote Dominion systems that will be
9 debated during the upcoming special session, the State
10 Election Board must act decisively to prevent an
11 administrative vacuum that will cause systemic confusion
12 at the precinct level.
13 This resolution is firmly grounded in the statutory
14 duties and enforcement powers vested in this board by
15 the state of Georgia. Pursuant to OCGA 21-2-311, it
16 explicitly -- it is the explicit duty of the State
17 Election Board to obtain uniformity in the practices and
18 proceedings of superintendents, registrars, deputy
19 registrars, poll officers, and other officials, and to
20 maintain legality and purity in all primaries and
21 elections.
22 In accordance with OCGA 21-2-310, this board is
23 empowered to take all necessary actions consistent with
24 the law to ensure the fair, legal, and orderly conduct
25 of primaries and elections across all jurisdictions.

Page 102 1 Under OCGA 21-2-33.1(a) section one, the State Election 2 Board is uniquely vested with the authority to issue a 3 cease and desist orders and make provisions requiring 4 any violator to stop committing acts that breach the 5 state election code. 6 The continued employment of these machines methods 7 where the voter is unable to verify their selections on 8 paper according to state code is fundamentally unlawful. 9 Operating under an unauthorized voting method instantly 10 places county election offices out of compliance, 11 exposing local superintendents and the state to severe 12 legal liability for violating the statutory protections 13 guaranteed to voters. 14 To allow counties to proceed without a clear 15 alternative directive would be a failure of oversight. 16 Because an unauthorized voting method constitutes an 17 explicit violation of state law, this board is utilizing 18 its statutory authority to proactively guide all 159 19 counties into full legal compliance through emergency 20 paper ballot procedures. 21 This resolution is necessitated by the following 22 factors. Legal continuity, to ensure that all 159 23 counties are operating under a uniform legally codified 24 standard should current system legality issues remain 25 unresolved. Voter confidence, by transitioning to human	Page 104 1 statewide security update or patch to remediate these 2 known vulnerabilities since their initial deployment. 3 This resolution is not merely a contingency. It is a 4 commitment to the voters of this state that we are 5 ensuring that the election process remains 6 uninterrupted, that every vote is cast securely, and 7 that the transition to emergency procedures is seamless, 8 standardized, and beyond reproach. 9 Subject, guidance and authorization of emergency 10 paper palette procedures for the November 2026 general 11 election and this should be for ongoing elections as 12 well for all elections. So that would be corrected. 13 Whereas the State Board of Elections is charged with the 14 duty to promulgate rules and regulations to ensure the 15 uniform, efficient, and secure administration of 16 elections across 159 counties, and whereas the current 17 voting system manufactured by Dominion, now referred to 18 as Liberty Vote, utilizes QR codes for the purposes of 19 recording and tabulating voter selections. And whereas 20 the legal extension permitting the use of QR coded 21 ballots as the primary method of tabulation is subject 22 to expiration on July 1st, 2026. And whereas in the 23 event that a further extension is not granted by the 24 appropriate judicial and legislative bodies, the use of 25 such machines of the November 2026 general election or
Page 103 1 readable hand marked paper ballots in the absence of 2 machine extensions, we provide a voting method that is 3 verifiable by the elector and the auditor alike. 4 Operational readiness, election superintendents 5 require ample lead time to secure supplies, train poll 6 workers, and inform the public waiting for a last minute 7 legislative action or judicial ruling without a 8 preauthorized contingency plan would jeopardize the 9 stability of the election. 10 System vulnerabilities and documented issues, 11 independent technical analysis and experts have 12 confirmed severe vulnerabilities within the Dominion Now 13 Liberty Vote software. The U.S. Cybersecurity 14 Infrastructure Security Agency, CISA, officially 15 validated these technical findings issuing an active 16 advisory warning that the system's vulnerabilities 17 present distinct security risk regarding urgent 18 migration. 19 Documented software abnormalities and barcode 20 mismatches, a/k/a coding errors, have previously 21 resulted in severe miscounts and altered initial 22 election night results requiring emergency manual 23 recounts to establish the correct outcome. The core 24 software infrastructure and underlining operating 25 configurations have not received a comprehensive	Page 105 1 ongoing elections would be prohibited under current 2 state statutes. And whereas it is the responsibility of 3 this board to provide clear written guidance to county 4 election superintendents to prevent disenfranchisement 5 and ensure the continuity of the democratic process. 6 Now therefore be it resolved by the State Board of 7 Elections that one, authorization of emergency 8 procedures in the event that the extension of the 9 Liberty Dominion QR code tabulation system is not 10 granted during the upcoming special session June, it's 11 called for June 17th, 2026, or is otherwise vacated 12 prior to the commencement of the upcoming elections. 13 All 159 county offices are hereby authorized and 14 directed to implement emergency paper ballot procedures. 15 Legal authority. This resolution is issued 16 pursuant to the following authorities. OCGA 21-2-334 17 provides that if the use of voting machines and 18 equipment is not possible or practical, the election may 19 be conducted by paper ballots. OCGA 21-2-281, governing 20 the use of paper ballots with the use of voting 21 equipment is impossible. The state election board rule 22 183-1-2-.11 emergency procedures outlines the specific 23 conditions under which the county may transition to hand 24 marked paper ballots to ensure the election proceeds 25 without interruption.

Page 106 1 Administrative emergency procedures, should these 2 procedures be triggered, county election superintendent 3 shall adhere to the following administrative protocol. 4 The transition of hand marked paper ballots in 5 accordance with OCGA 21-2-281 and 21-2-334, which 6 authorize the use of paper ballots when the use of the 7 voting system is impossible and impractical, the 8 following marking protocol shall apply. 9 Standardized ballots. All voters shall be provided 10 with an official paper ballot as defined in OCGA 21-2-2 11 according -- remarking instruments. Per OCGA 12 21-2-438(a), ballots must be marked using a pen or 13 pencil to ensure compatibility with optical scanners and 14 archival clarity. This board directs the use of blue or 15 black ink pens, correction of errors. 16 Voters should make an error, should, voters who 17 make an error shall be instructed to return the spoiled 18 ballot to the poll official to be voided and receive a 19 replacement as provided by OCGA 21-2-433. Tabulation 20 method. Vote inherent. Should the Liberty Vote 21 Dominion scanning software be unable to function without 22 QR code reliance, the following tabulation hierarchy is 23 mandated. 24 Optical scanning human readable. Scanners shall be 25 utilized only if they are configured to read visible	Page 108 1 transport of the ballots to the central counting center. 2 Sealing and documentation. Upon the close of 3 polls, ballot boxes must be sealed with numbered 4 security seals. A chain of custody form must be signed 5 by the team regarding the sealed numbers and the total 6 number of ballots cast as required by OCGA 21-2-440. 7 Public notice requirements. Transparency and public 8 notification are mandated under OCGA 21-2-265. 9 Courthouse and digital posting. Notice of the 10 shift to emergency paper ballots must be posted promptly 11 at the county courthouse and on the county's official 12 website within 24 hours of the determination. Precinct 13 posting. A copy of this resolution and the specific 14 state code authorization shall be posted at the entrance 15 of every affected polling place for advanced in-person 16 voting and on election day to inform electors of the 17 change in voting method. 18 Emergency supply audit and inventory. While SEB 19 183-1-2 -- I mean, -12-.11 section two subsection C 20 requires a minimum of 10 percent backup of unvoted 21 preprinted paper ballots, this board finds that a 22 transition to a full paper ballot election requires 23 enhanced readiness. Inventory requirements. 24 Superintendents are directed to procure and maintain a 25 sufficient stock of paper ballots for each ballot style
Page 107 1 human readable marks filled, e.g. filled in bubbles 2 rather than QR codes in alignment with the requirements 3 of SB189 that went into effect in 2024. 4 And OCGA 21-2-379.23 manual hand count in compliant 5 I mean if complaint -- Wait -- Yeah, sorry. If 6 compliant scanning is unavailable, counties shall 7 conduct a manual count as the precinct and the county 8 tabulation centers on election night for advance -- I 9 mean, advance in person voted ballots pursuant to OCGA 10 21-2-437. 11 Voter intent standard in all counting scenarios, 12 the voter intent standard established is OCGA 21-2-438 13 section C shall be the primary metric. Any ballot that 14 clearly and without question indicates the candidate for 15 whom the elector desires to vote shall be counted 16 regardless of the regular -- regularity of the mark. 17 Secure chain of custody, to maintain the security of the 18 vote as required by OCGA 21-2-440 and SEB rule 19 183-1-12-13 immediate deposit. 20 Immediately after marking the voter will place the 21 paper ballot in the scanner or put into a provisional 22 ballot bag or whatever is used as the acceptable means 23 of submitting the ballot. For oversight, a minimum of 24 two poll officers must remain with the ballot box at all 25 times during the hours of voting and during the	Page 109 1 within their jurisdiction calculated using total 2 registered voter counts and historical election data. 3 This number may be reduced for advanced in-person 4 voting by the number of mail-in ballots sent to voters 5 in the election. This number may be reduced by election 6 day precinct voting by the number of mail-in ballots 7 sent and the number of early voting ballots cast. This 8 ensures a surplus to accommodate high turnout, spoiled 9 ballots, and provisional needs. 10 Reporting. All 159 counties shall submit a 11 certification of ballot readiness to the Secretary of 12 State's office no later than 21 days before the 13 election, the general election, verifying that 14 sufficient supplies and marking pens are on hand. Final 15 confirmation. This resolution serves as the official 16 written confirmation for all 159 counties that the move 17 to hand-marked paper ballots is the only approved 18 contingency should the Liberty Vote Dominion QR code 19 extension fail to be secured or the machines are found 20 to be unlawful. Duly resolved, this is on the 3rd of 21 June, 2026. 22 CHAIRMAN FERVIER: Before we begin discussion, Ms. 23 Robinson, I didn't know if you thought you had to stay, 24 but you don't have to stay if you don't want to. I 25 didn't want you to feel like you had to. It's fine if

Page 110

1 you want to. If you want to enjoy this, please feel
2 free.

3 MEMBER GRUBBS: Enjoy.

4 CHAIRMAN FERVIER: Enjoy all you want to. Okay.

5 MEMBER KING: Yeah, so that's the resolution. I'll
6 send it to you, James.

7 CHAIRMAN FERVIER: Any comments from the board on
8 this resolution?

9 MEMBER GHAZAL: Mr. Chairman? I would -- I'm
10 hesitant to put the Attorney General's office on the
11 spot, but I would like to ask if you have had any
12 opportunity to review this? You -- No. Okay. In
13 general, if we are issuing a resolution that is 100
14 percent contrary to advice that has been issued by the
15 Secretary of State's office, how would you?

16 ATTORNEY YOUNG: Well, I haven't reviewed any
17 advice -- I don't know what advice has been issued by
18 the Secretary of State's office either. If there has
19 been something that has been published, I have not seen
20 it. And I haven't -- I did listen as you were reading,
21 but I don't have the actual copy. You know, I guess you
22 could have two agencies issuing resolutions that
23 conflict with each other.

24 Resolutions are not inherently binding. So, you
25 know, I don't think that there is any express

Page 111

1 requirement of consistency across agencies, but
2 obviously it would cause confusion for elections
3 superintendents if they are getting differing
4 instructions from two agencies, both of which have some
5 authority over what they're doing.

6 MEMBER KING: I think we all know that we are at
7 risk of there being confusion regardless. The purpose
8 of the resolution is so that the counties will have
9 something in case they would like to go this route.
10 This is an option. The fact is they don't have an
11 option other than, you know, to, I guess, wait and see
12 what happens in the special session. And if nothing
13 happens, then you're just kind of stuck.

14 And my concern is that the counties are going to
15 get lawsuits from candidates, from citizens, from people
16 who feel as though they're voting unlawfully when
17 there's no guidance. But having a resolution allows you
18 to have something that you can hold to say this is what
19 we're utilizing. This is what we are -- why we are
20 transitioning this particular county to ensure that
21 we're prepared.

22 And it also allows the counties to start having a
23 discussion amongst themselves about whether or not we
24 want to move forward with this direction under the guise
25 that we don't know what's going to happen in the special

Page 112

1 session.

2 The whole thing -- the purpose of this is that
3 we're getting closer and closer and closer to this
4 deadline and we also have elections that are coming up
5 and there's more elections that are there. We already
6 are in question whether or not we are properly verifying
7 our ballot as it is right now.

8 And so what I think is that we need to have
9 something in the hands of these counties so that they
10 can have support from us, as well as support in the
11 county so that when they're communicating with citizens
12 they won't feel as though they don't have a plan of
13 action going forward.

14 VICE CHAIR JOHNSTON: I see this, the resolution is
15 to generally proceed with what is written in the code to
16 move to emergency paper ballots for use for an election.
17 Is that -- Am I understanding what the resolution says
18 in whole and total. I'm also looking at a letter issued
19 I believe last -- I don't know when, a couple of days
20 ago by Blake Evans from the SOS Elections Office
21 describing a procedure of using the QR codes, which
22 right now will be prohibited as of July 1st. But Blake
23 Evans is recommending the continued use of the QR code
24 and which will be in violation of law. And he has moved
25 forward even further and said this state used optical

Page 113

1 character read of ballots or ballot images perhaps which
2 he intends to use to tabulate the votes.

3 That is a methodology that is not legal to tabulate
4 votes. It is not election EAC certified to tabulate
5 votes. It was introduced to the state of Georgia as a
6 pilot project to review ballots and it was not even
7 conducted correctly as the pilot project. It conducted
8 a review, an optical character read of ballot images
9 which are very different than ballots.

10 Ballot images are simply images that could have
11 been -- could be altered, could be deleted, could be
12 missing. We all know that we have chronic problems with
13 missing ballot images, and there's certainly plenty of
14 questions about altered ballot images. But the bottom
15 line is it's not a legal system to tabulate elections.
16 And I'm astounded that he sent this letter to the
17 counties planning to use this method of tabulating an
18 election or any election or elections for this year in
19 Georgia.

20 MEMBER GRUBBS: So is it my turn?

21 CHAIRMAN FERVIER: Yes.

22 VICE CHAIR JOHNSTON: It's your turn.

23 CHAIRMAN FERVIER: Member Grubbs.

24 MEMBER GRUBBS: Okay. So, Member King, I really
25 appreciate you doing this, and I definitely agree with

Page 114 1 the spirit of it. There's some functional things that I 2 think are an issue. In the first paragraph when you're 3 talking about the utilization of QR codes for ballot 4 tabulations faces severe legal uncertainty. As of this 5 moment there is no legal uncertainty. 6 At this moment the QR codes cannot be used to 7 tabulate as July 1st. I mean that's given law. The 8 only thing that's uncertain is the rumor of them kicking 9 the can down the road, which I hope and pray that they 10 do not. The guidance that came out from Blake Evans the 11 day before yesterday, which to be clear the State Board 12 of Elections was not copied on. It went out to counties 13 and we were not made aware of what his plan is, is in my 14 view a disaster in the making. 15 And I was thinking about it this morning with the 16 image tabulation is this is why my rule proposal that I 17 presented yesterday when we're talking about the 18 definition of a ballot is so critical and the definition 19 of a vote is so critical, is because my vote is not some 20 image that is scanned and uploaded through the internet 21 to some server in the sky to some cloud based program 22 where it can be compromised or changed or deleted or 23 whatever. That is not my vote. 24 My vote is the direct expression that I use 25 unfortunately we've been having to use ballot marking	Page 116 1 software to update the BMD's that are required for ADA 2 compliance and that kind of thing. That could have been 3 done two years ago and he's chosen not to do it. 4 He has discretionary funds that he could have used 5 to at least upgrade the ADA units and has not done that. 6 So that's not addressed in the resolution. Also, I 7 don't like the verbiage of in the absence of machine 8 extensions, because I refuse to accept any extensions in 9 the state of Georgia for these voting machines. I just 10 refuse. 11 CHAIRMAN FERVIER: Excuse me. One second. I want 12 to make one alteration to the Dr. Johnson polite 13 clapping rule. If you clap while somebody's speaking, 14 it's a real problem for the people online to hear and 15 also for our court reporter. So please hold applause 16 until after someone finishes speaking the Dr. Johnson 17 clap until after someone finishes, please. Thank you. 18 MEMBER GRUBBS: And then when you get to the 19 whereas's, when it says, whereas in the event that 20 further extension is not granted by the appropriate 21 judicial or legislative bodies, the use of such machines 22 for the November 2026 general election would be 23 prohibited under current state statutes. 24 Well, we have an election that is coming up right 25 now in Congressional 13, which is why that was added in
Page 115 1 devices. But this is what I use for my direct 2 expression. I use it all the time in writing on pieces 3 of paper and my direct expression should be my vote that 4 is counted not some Frankenstein system that uploads to 5 some cloud in the sky. 6 And I was just having a conversation yesterday 7 about where the Secretary of State's data is hosted -- 8 it's hosted on a program in a system that was developed 9 and is sold here in the United States developed by two 10 Russian oligarchs. So why Blake Evans thinks he can 11 take something that is precious that is at the end of my 12 pen and manipulate it and upload it through the internet 13 to some cloud in the sky and then have a conflicted 14 company do OCR audits of images, not even the real 15 ballots, when our own board of election members cannot 16 get all the documents they need to certify an election 17 within the five days which is a ridiculously short 18 amount of time. 19 This is reaching the level of insanity in the state 20 of Georgia. And this is really a huge problem and I 21 appreciate you, Member King, for doing the resolution. 22 And I told you I would support the resolution, but 23 there's some functional issues that we have here. One 24 of which it does not address the ADA compliance. 25 The Secretary of State has in his possession the	Page 117 1 the rule proposal that I had that we never got to before 2 getting to this situation, which is not going to matter 3 because we're running out of time for that, because 4 advanced voting begins July 6th. 5 And so to even get our rule proposals to affect 6 Congressional 13, you know, that was one of those 7 unforeseen circumstances. We didn't anticipate that 8 Congressman Scott was going to pass away and we would 9 have an election immediately forthcoming. So this is 10 not only about the November election, which we're 11 already running out of time on that too. This is also 12 about the Congressional -- Do we just not care about the 13 Congressional 13 race? Does that not matter to people? 14 I mean I live in Congressional 11, but I think the 15 people that are voting as of July 6th in Congressional 16 13 deserve an election that complies with law. And I 17 think they deserve to vote on hand marked paper ballots. 18 And I think we deserve to have verifiable elections. So 19 as far as that paragraph, I have an issue with that 20 because I am not going to presuppose that they're going 21 to kick the can down the road. 22 I'm going to presuppose that the legislature is 23 going to do its job based on commitments that have been 24 made based on what makes sense. And also the fact that 25 Georgia does not need to spend another \$150 million or

Page 118 1 more on a complete new voting system when this is my 2 direct expression right here. 3 Also, on the next page under the, now therefore, 4 it says in the event of the extension for Liberty Vote, 5 Dominion and all of that I get that. Again, I'm not 6 presupposing they're going to kick the can down the 7 road, but again we don't have provision for ADA voting 8 in here. And in my view, you did a great job in the 9 beginning laying out the rationale because that's the 10 rationale I have been screaming since 2022. 11 I have been screaming that it is the explicit duty 12 of the State Election Board to obtain uniformity in the 13 practices and proceedings of superintendents, 14 registrars, deputy registrars poll officers and other 15 officials and to maintain the legality and purity in all 16 primaries and elections. That is our job. 17 The second paragraph I completely agree with. In 18 accordance with OCGA 21-2-310, this board is empowered 19 to take all necessary actions consistent with the law to 20 ensure the fair, legal and orderly conduct of primaries 21 and elections across all jurisdictions. How much 22 clearer could it be? 23 I agree with your third point. Under OCGA 24 21-2-33.1(a)(1), the State Election Board is uniquely 25 vested with the authority to issue cease and desist	Page 120 1 the QR codes are supposed to be utilized right now. 2 Regardless of how we feel about it. 3 But, so the point I'm making is that, again, I'm 4 all for hearing rules and even additional resolutions, 5 whatever, you know, but my understanding is that as of 6 right now, the QR codes are in place. We can disagree. 7 We know that they're unlawful. We know that the voter 8 is not able to verify their vote. But when you are a 9 county election official, having to explain why you're 10 not following what is written in the law, whether we 11 agree or disagree, positions them in a bad place. It 12 puts them in a bad place. 13 MEMBER GRUBBS: I agree that election officials 14 have been put in a terrible place. A lot of the cases 15 that we've heard, we would not have to have heard had we 16 had a better way of doing things in place. I agree with 17 you 100 percent. There's a lot of people, and people 18 who are not even particularly politically active. I've 19 seen it from people on the right, on the left, in the 20 middle, that have no faith and confidence in the QR 21 code. 22 Yes, I get that that is the law right now. It's an 23 unfortunate situation. It's unfortunate that Georgia is 24 one of the only states in the United States of America 25 that is stuck in this quagmire right now. It's
Page 119 1 orders. Make provisions requiring any violator to stop 2 committing acts that breach the state election code. 3 And right now I would like to issue a cease and desist 4 order to Blake Evans. I get it. I get it. It's not 5 funny to me. I understand. 6 But to say that you are going to count our votes by 7 images and not the direct expression of what our vote is 8 without any kind of even communication. He just issues 9 an edict from the Secretary of State's office. That's 10 where my mind is. So I appreciate the intent of the 11 resolution. I think if you took that, along with some 12 of the interim guidance which I had to present, that we 13 could come up with a good resolution. 14 But the resolution that I want to sign is not a 15 resolution that is going to empower the legislature to 16 kick the can down the road. 17 MEMBER KING: Well, Member Grubbs, first this 18 resolution was created after speaking with election 19 officials and board members. The reason why I did it 20 the way I did it is because regardless of how we feel 21 about it, regardless of what we believe and we can be 22 right, we have to position the counties to where they 23 can withstand a lawsuit, where they can justify their 24 actions stating that the law, you know, whether we agree 25 with it or not, but stating that Georgia law says that	Page 121 1 unfortunate that during the legislative session since 2 2024, this has not been fixed. I get all of that. I 3 agree. I agree that the counties need to have 4 instruction. 5 I'm just saying that if we do it by resolution, 6 first of all, remember I come from the world of the GOP, 7 and I know how much resolutions hold water. 8 MEMBER KING: Gives the county the opportunity to 9 utilize it. They still have autonomy. 10 MEMBER GRUBBS: Of course. That's why I did what I 11 did with the presenting the interim guidance. I agree. 12 I just -- if you -- Since you consulted with county 13 people, I'm surprised they didn't talk about upgrading 14 the ADA units to the current software. 15 MEMBER KING: Well, that's something that the 16 counties have autonomy to do anything additional around 17 the resolution. But here's the thing, too. When I was 18 drafting this, it's important that I have to set my 19 activism side to the side and sit in my board member 20 seat. 21 As a board member, even if there is an extension, 22 if there is an extension that occurs, I cannot tell 23 counties to ignore what the legislature said and do 24 something else. Because now, we're now putting them in 25 a bad position, and then are we prepared to fight their

Page 122

1 lawsuits. It's unfair. It's not right. It's where we
 2 are. But I believe in taking baby steps if necessary.
 3 Sometimes you've got to do giant leaps, but there are
 4 other times you've got to make baby steps in order to
 5 just create uniformity, create and give our counties an
 6 option that they can utilize and that they can go back
 7 to their board with, justify, explain, and be able to
 8 use.

9 CHAIRMAN FERVIER: Any further comments from the
 10 board?

11 VICE CHAIR JOHNSTON: I want to comment. The
 12 simplest thing to do is to move to hand-marked paper
 13 ballots with an optical scan on the machines that
 14 currently can accept optical scans and move that
 15 immediately. And for the election in July to utilize
 16 emergency ballots if necessary.

17 I'd like to make a motion that we support the
 18 resolution of Ms. King -- Member King.

19 CHAIRMAN FERVIER: There's a motion to support the
 20 resolution of Member King. Is there a second?

21 MEMBER GHAZAL: Second.

22 CHAIRMAN FERVIER: There's a motion and a second to
 23 support the resolution of Member King. Any further
 24 discussion?

25 MEMBER GRUBBS: Ms. King, I want to support the

Page 123

1 resolution, but there's some wording in it that I can't
 2 support. I'm open to, you know, any changes. I
 3 likewise have draft guidance that I was hoping that we
 4 could work through that incorporates some of this that
 5 also takes into consideration the Congressional 13 race.

6 I definitely want to vote yes on this, but I can't
 7 vote yes on it in the current form.

8 CHAIRMAN FERVIER: Any further comments?

9 EXECUTIVE DIRECTOR MILLS: Mr. Chairman?

10 CHAIRMAN FERVIER: Yes.

11 EXECUTIVE DIRECTOR MILLS: Could we consider
 12 tabling this until after lunch maybe and see if they
 13 could get together on some agreement and bring it back?

14 CHAIRMAN FERVIER: There's a motion on the table
 15 right now that she'd have to withdraw the motion and
 16 then we'd have to break for lunch.

17 VICE CHAIR JOHNSTON: Mr. Chair, I will withdraw
 18 that motion and make a motion to table this to
 19 consideration of this until after lunch.

20 CHAIRMAN FERVIER: We don't need a table. We'll
 21 just leave it open. And there's a motion to withdraw.
 22 You've withdrawn your motion. So at this time is there
 23 a motion to break for lunch?

24 MEMBER KING: So moved.

25 CHAIRMAN FERVIER: We have a motion with that

Page 124

1 dissent that we will break for lunch for approximately
 2 40 minutes. We'll come back at 1:10. Thank you.

3 (Whereupon, a break was taken during the
 4 proceeding.)

5 CHAIRMAN FERVIER: We are now back in session. I
 6 hope everybody enjoyed their lunch. We're going to try
 7 and quickly move through the rest of the agenda today.
 8 The next item on the table at this time is a resolution
 9 by Member Janelle King. Still open for comments from
 10 this board on this resolution. Any comments?

11 MEMBER KING: Salleigh and I met right before lunch
 12 and I agreed with Salleigh that there should be
 13 something in here that referenced ADA voters. So what
 14 we did was under authorization of emergency procedures,
 15 the paragraph, it's a short paragraph, but it now reads,
 16 in the event of -- well, I'm adjusting that too. Oh no,
 17 we kept that one. Never mind. Sorry, Salleigh.

18 MEMBER GRUBBS: That's okay.

19 MEMBER KING: In the event of the extension of the
 20 Liberty Vote Dominion QR code tabulation system is not
 21 granted during the upcoming special session called on
 22 June 17th, 2026, or is otherwise vacated prior to the
 23 commencement of the upcoming elections.

24 All 159 county election offices are hereby
 25 authorized to direct and directed to implement emergency

Page 125

1 paper ballot procedures for non-ADA voters. So that you
 2 don't have any confusion there. And then in the section
 3 where I have the whereas, the fourth whereas, the
 4 adjustment states whereas in the event that the current
 5 voting system issue is unresolved, the use of such
 6 machines for any election after July 1st would be
 7 prohibited under current state statutes. So those were
 8 the adjustments, the changes.

9 MEMBER GRUBBS: And then I also have the draft
 10 guidance that I sent out, the interim guidance to the
 11 counties, which we can address whenever. But I'd like
 12 to see if we can make that part of the -- as a working
 13 document, as part of the guidance to the counties.

14 MEMBER KING: It has a lot more details and it can
 15 be attached as an addendum.

16 CHAIRMAN FERVIER: Any further comments, members of
 17 the board?

18 VICE CHAIR JOHNSTON: Salleigh, have your guidance
 19 -- guidelines been distributed to the board?

20 MEMBER GRUBBS: Yes, they have. They were all
 21 emailed out with -- I sent the guidance along with the
 22 proposed legislation, along with the proposed rule
 23 amendment on the, quote unquote, "bunker". I sent all
 24 that out a couple of days ago. And then it's in the
 25 packet that I gave everybody yesterday morning. So I

Page 126

1 emailed it and I gave written copies.

2 CHAIRMAN FERVIER: Anything else from the board on

3 this?

4

5 VICE CHAIR JOHNSTON: I think this is helpful. It

6 covers polling place operations, ballot on demand

7 printing, ballot on demand security and accounting

8 controls and accessibility.

9 CHAIRMAN FERVIER: Anything else from the board on

10 this topic? Anything else from the board?

11 MEMBER GRUBBS: On this?

12 CHAIRMAN FERVIER: On this topic, yes.

13 MEMBER GRUBBS: Mr. Chairman, I'll make a motion.

14 CHAIRMAN FERVIER: Okay.

15 MEMBER GRUBBS: Is that what you're waiting for?

16 CHAIRMAN FERVIER: I'm waiting for anything else

17 from the board.

18 MEMBER GRUBBS: That we accept the proposed

19 resolution as presented by Member King with the edits.

20 And then along with afterwards consideration of the

21 draft interim guidance.

22 VICE CHAIR JOHNSTON: Second.

23 CHAIRMAN FERVIER: We have a motion and a second to

24 accept the resolution presented by Members King and

25 Grubbs.

Page 127

1 VICE CHAIR JOHNSTON: I have a question. What is

2 proposed to do with this resolution?

3 MEMBER KING: To be sent to the counties that they

4 can utilize it for guidance in their board meetings.

5 CHAIRMAN FERVIER: Are you going to do this ahead

6 of the legislature meeting?

7 MEMBER KING: Correct.

8 CHAIRMAN FERVIER: Okay.

9 MEMBER KING: So they'll have it now. It's for

10 them to use at their will.

11 CHAIRMAN FERVIER: We have a motion and a second.

12 Any further discussion? All those in favor signify by

13 saying aye. Any opposition?

14 MEMBER GHAZAL: Nay.

15 CHAIRMAN FERVIER: Motion carries three to one.

16 EXECUTIVE DIRECTOR MILLS: Mr. Chairman?

17 CHAIRMAN FERVIER: Yes.

18 EXECUTIVE DIRECTOR MILLS: Could I just make sure

19 that I get either from Member Grubbs or Member King the

20 condensed correct version?

21 MEMBER KING: I'll email it to you.

22 EXECUTIVE DIRECTOR MILLS: Okay. Perfect.

23 MEMBER GRUBBS: And, Mr. Chairman, there were

24 several issues that we needed to bring up. Can you just

25 kind of go over where we are on the agenda?

Page 128

1 CHAIRMAN FERVIER: Let me see. Under new business

2 we have to discuss guidance from SOS to counties. And

3 then we will go into old business, which we haven't

4 completed any of the old business yet. Although I did

5 want to discuss one of the old business next, the

6 election night reporting next, and then go to your

7 rules.

8 MEMBER GRUBBS: Okay. Well, there's the issue with

9 the -- Phil Searcy [ph] has a presentation.

10 CHAIRMAN FERVIER: That's going to be last in the

11 agenda.

12 MEMBER GRUBBS: Okay. I must have missed that

13 memo.

14 CHAIRMAN FERVIER: Well, Dr. Johnston and I

15 discussed that yesterday and since it was a --

16 MEMBER GRUBBS: A late addition.

17 CHAIRMAN FERVIER: -- late addition, we decided to

18 put it at the end of the agenda.

19 VICE CHAIR JOHNSTON: Mr. Chair, would you consider

20 hearing them since they have such a long travel time?

21 CHAIRMAN FERVIER: When did you want to hear them?

22 VICE CHAIR JOHNSTON: Now would be appropriate.

23 MEMBER GHAZAL: I'm confused about a special

24 presentation. Has there been a complaint filed? I

25 don't know anything about this.

Page 129

1 CHAIRMAN FERVIER: Dr. Johnston, you want to

2 explain what this is going to be about?

3 VICE CHAIR JOHNSTON: Yes, I will. There is a

4 complaint that about the log files and review and

5 findings in log files. And I believe Director Mills

6 will be assigning this for an investigation. But it's

7 so important to hear the findings of the seven counties.

8

9 I think it would be beneficial for this board to

10 hear what they've studied and what they've found and

11 consider what we should do next as far as investigation.

12 I'm not a log expert or computer expert and it raises a

13 lot of questions. And so I would like the whole board

14 to benefit from hearing this so that we might direct a

15 proper investigation of this.

16 MEMBER GHAZAL: So none of the counties that are

17 involved have received notice of any of this?

18 VICE CHAIR JOHNSTON: No, this is just a report on

19 a study of log files. It's not a complaint of an

20 election violation.

21 CHAIRMAN FERVIER: No counties will be mentioned

22 today?

23 VICE CHAIR JOHNSTON: Well, counties may be

24 mentioned but they're not defending a violation.

25 CHAIRMAN FERVIER: Can we do it by just county one,

Page 130

1 county two, county three? I mean, if a county is being
 2 named, I'd rather keep them anonymous at this time and
 3 just do county one, county two, county three.
 4 VICE CHAIR JOHNSTON: Mr. Searcy, can you do that?
 5 PHIL SEARCY: Well, our presentation, we have a
 6 PowerPoint. We're not making any allegations of the
 7 county (indiscernible due to audio volume).
 8 VICE CHAIR JOHNSTON: I think the concerns, Member
 9 Ghazal, is an equipment concern, not a county concern or
 10 an individual concern. It's a concern about the
 11 equipment and the functionality of the equipment. It
 12 may be for nothing. I do not know.
 13 MEMBER GHAZAL: Do we have anybody -- has there
 14 been any notice provided to the state or to the
 15 Secretary of State or the custodian of the equipment,
 16 and the software to provide any kind of explanation or
 17 is it just going to be, once again, a presentation
 18 without any opportunity to get an explanation?
 19 VICE CHAIR JOHNSTON: I'm going to have to ask Mr.
 20 Searcy if it's been presented or sent to the state.
 21 EXECUTIVE DIRECTOR MILLS: My understanding, wasn't
 22 this presented to senators and representatives?
 23 PHIL SEARCY: We did present this to the
 24 legislature in the general session. We had a briefing
 25 on it and we had a press conference on it. And we also

Page 131

1 delivered a copy to the Secretary of State's office.
 2 MEMBER GHAZAL: Okay. So why are we doing this
 3 again then?
 4 PHIL SEARCY: Well, this is a complaint I feel like
 5 the board needs to address and we've actually filed a
 6 complaint with the SEB. We've been assigned a case
 7 number and we thank for taking the urgency of it and
 8 trying to elevate it to today. But we've got 15
 9 minutes. Myself and Charlene Alexander are here to
 10 present and explain to you just an overview of what our
 11 complaint is about and I believe there may be an
 12 investigator that's already assigned that we're prepared
 13 to answer any questions.
 14 CHAIRMAN FERVIER: That presents a little bit of a
 15 problem if it's an ongoing investigation. And I didn't
 16 realize -- if it's an ongoing investigation -- if your
 17 presentation is dealing with an ongoing investigation,
 18 that presents a problem for this board to hear it prior
 19 to the investigation being performed.
 20 PHIL SEARCY: Well, I don't know if he started or
 21 not.
 22 CHAIRMAN FERVIER: I mean, if you've already
 23 complained on him, the investigation has been assigned,
 24 so it's an investigation. And we can't really hear
 25 anything about that until the investigation has been

Page 132

1 completed. It would be . . .
 2 VICE CHAIR JOHNSTON: Has the investigation been
 3 started?
 4 EXECUTIVE DIRECTOR MILLS: Let me check. Sherrie,
 5 can you see if that's been assigned a number? The case
 6 number has not been assigned.
 7 CHAIRMAN FERVIER: The complaint's been made,
 8 right, to this board?
 9 EXECUTIVE DIRECTOR MILLS: Yes.
 10 CHAIRMAN FERVIER: When was the complaint made?
 11 PHIL SEARCY: When did we mail that? It's been
 12 about three weeks ago I think. I can tell you. Well, I
 13 have it in my briefcase. I have the e-sign of all of
 14 our signatures on it. There's seven complainants from
 15 the seven counties.
 16 EXECUTIVE DIRECTOR MILLS: I'd like to ask the
 17 board to hear the complaint and if the board determines
 18 that it doesn't need to be investigated, then we'll live
 19 by that. And if you decide it does need to be
 20 investigated, then we'll live by that.
 21 CHAIRMAN FERVIER: The problem is that they're
 22 making a presentation on a complaint of -- Who's the
 23 complaint against? Right. I mean it's a complaint
 24 against somebody. The respondent isn't able to be here
 25 to respond to the complaint. It hasn't been

Page 133

1 investigated yet. The complaint's been made. It seems
 2 overly prejudicial to me to hear evidence without having
 3 it been investigated yet.
 4 MEMBER GHAZAL: We also have no jurisdiction over
 5 what systems the Secretary of State chooses to use. And
 6 we don't know what level of authority the legislature is
 7 going to grant moving forward. I mean, this isn't just
 8 a free-for-all. We have specific legal jurisdiction,
 9 but that's not one of the issues that we have
 10 jurisdiction over.
 11 PHIL SEARCY: Well, I'll say this. The analysis of
 12 the investigation reveals that U.S. Federal Code is
 13 being violated. Georgia state code is being violated.
 14 And the Georgia Constitution is being violated because
 15 Georgia must comply. In a federal election, we must
 16 comply with 52 U.S.C. 21081 paragraph five where it
 17 says, the equipment, if it produces any errors or
 18 misfeeds, it has to be corrected.
 19 MEMBER GHAZAL: Well, that's a court -- that's
 20 federal court. Then the proper jurisdiction for hearing
 21 that claim would be federal court, not the state
 22 election board.
 23 PHIL SEARCY: What about the state 21-2-374? It's
 24 also in violation the ballot scanner should not be
 25 approved unless it produces an errorless count. If any

Page 134

1 error is detected, the cause therefore shall be
 2 ascertained and corrected and the errorless count shall
 3 be made before the ballot scanner is approved.

4 And we've looked at seven counties. It's systemic
 5 in every county. And from the 2024 general election out
 6 of those seven counties, they had 870,000 ballots.
 7 There were 716,794 errors and 299,412 misfeeds. And the
 8 law doesn't allow that. The law allows six errors and
 9 1,744 misfeeds.

10 MEMBER GHAZAL: Is this the same error code that
 11 was examined a few years ago when there was an
 12 accusation that -- there was a suggestion that the error
 13 that had happened in Tennessee with a different -- when
 14 they were not properly accounting for provisional
 15 ballots because they use a different version of the
 16 Dominion software --

17 PHIL SEARCY: (Indiscernible due to cross talk
 18 interruption.)

19 MEMBER GHAZAL: -- Right. But it's not just that --
 20 -

21 PHIL SEARCY: It's not just that. That's part of
 22 it, but that's not all of it. There were 22,000 QR code
 23 mismatch errors in our analysis in every county.

24 MEMBER GHAZAL: And this exact same claim has been
 25 made it was investigated and it was determined that the

Page 135

1 error codes were coming when a ballot is misfed and it
 2 gets rejected. And that's happened to me probably half
 3 the times that I've voted. That the error code comes up
 4 in the files simply because there's a misfeed, the
 5 ballot is returned, it gets refed.

6 PHIL SEARCY: That's called a misfeed?

7 MEMBER GHAZAL: Yes.

8 PHIL SEARCY: And the standards require no more
 9 than one in 500 ballot scans. And we're having -- in
 10 this batch of counties 299,000 times we had ballot
 11 misfeeds and the law only allows 1744. So it's -- so
 12 massively outside of the federal standards this must be
 13 addressed.

14 MEMBER GRUBBS: So is your concern with impending
 15 elections that it continues to happen?

16 PHIL SEARCY: Yes. But we don't know what these
 17 errors -- we're not making any claims that there's a
 18 change in the count. We don't know that. We just know
 19 that these Sarahvin error messages.

20 MEMBER GRUBBS: And they exceed what's acceptable?

21 PHIL SEARCY: By massively. For example, don't
 22 read numbers -- 49 percent of the ballots had errors,
 23 these errors. 26.95 percent of the voters were affected
 24 by the ballot reversals. 26.95 percent are affected by
 25 these ballot reversals in the seven counties.

Page 136

1 CHAIRMAN FERVIER: Here's my problem, Mr. Searcy,
 2 I'm sorry. The problem is that a complaint's already
 3 been filed it's already been signed a case number. So
 4 there's an active complaint out there. And a
 5 complainant coming and addressing the board on this case
 6 prior to the case being investigated really sets a bad
 7 precedence for us as a board. Because then it opens a
 8 door to any other complainant coming in before the case
 9 has had a chance to be investigated.

10 I mean, it's -- being educated, I understand that
 11 but it prejudices, you know, us to do that. I just I
 12 can't agree with that, you know. And I'm sorry that you
 13 came all the way up here. I wish I'd known about the
 14 forehand, but this is an open complaint. It's been
 15 assigned a number. So it's under investigation.

16 PHIL SEARCY: So, what I would ask the board then -
 17 -

18 CHAIRMAN FERVIER: Okay.

19 PHIL SEARCY: -- is that this investigation that's
 20 being done be put as high as priority, and that we have
 21 a chance to come back next month. And if our findings
 22 are confirmed, that this board will make a decision to
 23 put some countermeasures in place. Already your
 24 resolution is one thing. The QR code is one thing. But
 25 the ballot scanning is another whole issue that must be

Page 137

1 addressed.

2 And you talk about a Frankenstein system, this
 3 software suite we're using in this state which we've
 4 used from the very beginning, it has over 120 software
 5 and hardware components that make up the entire suite.
 6 It is a Frankenstein system and the error message we're
 7 showing here are coming from the proprietary part of
 8 that suite.

9 Most of that software is off the shelf but the
 10 proprietary part is in the ICP and the ICC scanners.
 11 That's where all these errors are being generated and
 12 nobody knows what's in there and that needs to be
 13 resolved.

14 CHAIRMAN FERVIER: Well, your presentation needs to
 15 be sent to the investigator who's handling this, so they
 16 can have that information before them. And this board
 17 will give your case due consideration like every other
 18 one based on the facts that we received from the
 19 investigation itself.

20 But to hear the complainant prior to the
 21 investigation, is really improper for the way that we
 22 need to handle things, so.

23 PHIL SEARCY: I can understand your viewpoint on
 24 that. I just don't want this case --

25 MEMBER GRUBBS: Taken four years.

Page 138

1 PHIL SEARCY: -- to be like a bunch of the others
2 we've seen today from four or five years ago that have
3 not been resolved.

4 CHAIRMAN FERVIER: I understand that and the
5 gentleman that assigns investigators to cases is sitting
6 right next to me, so.

7 MEMBER KING: I was going to say, in this case we
8 know this case exists. So we can track it.

9 CHAIRMAN FERVIER: Yes.

10 MEMBER GRUBBS: See, a lot of the other cases that
11 come in and have been assigned through the SOS's office,
12 that's why I always encourage people to email me and
13 contact me directly because we don't know what we don't
14 know. And when it goes through that portal or it goes
15 to the SOS's office, I can't even get a list of the ones
16 that they have now. And I've been asking since I came
17 on this board in January for a list and as a board
18 member I can't get a list. I guess I need to do an ORR.

19 PHIL SEARCY: Yeah, good luck with that. Well,
20 yeah, I understand that and that's why I sent it
21 directly to the SEB because I knew of that situation.
22 I've been coming to these meetings as you know since
23 2003 and two minute public comment. You probably don't
24 know a lot about me, but my background in IT has nothing
25 to do with our analysis.

Page 139

1 Anybody that can read and use a computer with basic
2 computer skills and do a search can do the analysis that
3 we did and come to the same findings that we did. That
4 these errors exist and they far exceed the federal
5 standards that are required that the 51 Code requires,
6 as well as the Georgia Code requires and Georgia, under
7 Georgia Constitution, we must use election procedures
8 that are provided by law.

9 And if our procedures are not in accordance with
10 what's provided by law, we're in violation of the
11 Constitution and everyone's rights not just mine but
12 everybody's in the state.

13 CHAIRMAN FERVIER: I promise you you'll have ample
14 time to make your case when the case comes before the
15 board. I promise you that. But I need to be fair about
16 the way this is handled and consistent, so.

17 PHIL SEARCY: Well, I appreciate even the
18 consideration of the day. I was going to say that in
19 the very beginning. Thank you for recognizing the
20 urgency and wanting to accelerate it.

21 VICE CHAIR JOHNSTON: Mr. Searcy, if also in your
22 research, if any information you have on ES&S would be
23 greatly appreciated too.

24 PHIL SEARCY: Yeah, I haven't done any research on
25 them.

Page 140

1 CHAIRMAN FERVIER: Okay. Thank you, sir.

2 PHIL SEARCY: Thank you.

3 CHAIRMAN FERVIER: There was a request to talk
4 about election night reporting first which is under old
5 business. Ms. Grubbs -- or, Member Grubbs, is that your
6 . . .

7 MEMBER GRUBBS: Yeah, I have a -- you know,
8 clearly, you know, we are in a situation because we are
9 not -- we haven't -- the rest of us haven't been lucky
10 enough to go to election night reporting like you have,
11 Mr. Chair, and I know that it's -- you know, maybe
12 there's nothing that goes on there. I don't know. But
13 --

14 CHAIRMAN FERVIER: I don't think that's an insult.
15 It's late in the day. It might be. I don't know.

16 MEMBER GRUBBS: I would never insult you. You just
17 must be hanging with a different crowd.

18 CHAIRMAN FERVIER: I've been accused of that
19 before.

20 MEMBER GRUBBS: But anyway, you know, as everyone
21 knows there's a lawsuit that's been filed about
22 attending election night reporting, about the Secretary
23 performing his duties in public and so on and so forth.
24 And that we were not invited and not allowed to go. And
25 so I believe that that is an urgent matter that is the

Page 141

1 reason why I've done this, or am presenting this rule
2 petition -- or not petition, but this rule proposal for
3 Rule 183-1-12-.12. I don't know who came up with that
4 numbering system. It makes no sense to me.

5 So maybe one day we can go through the rules and
6 renumber them in some fashion that makes sense. But
7 it's under subparagraph 8(b)(3). When it previously
8 said the tabulation and consolidation shall be performed
9 in public. However, the election superintendent may
10 make reasonable rules and regulations for conduct at the
11 tabulating center for the security of the results and
12 returns to avoid interference with the tabulating center
13 personnel.

14 The way it's been changed is the tabulation and
15 consolidation at the county and state level, including
16 state election officials activities to review and
17 approve tabulation reporting, shall be performed in
18 public with meaningful poll watcher visual access
19 permitted. However, the election superintendent and the
20 Secretary of State may make reasonable rules and
21 regulations for conduct at the tabulating or central
22 reporting center for the security of the results and the
23 returns and to avoid interference with the tabulating
24 center in review activities.

25 So there's a change to that paragraph. There's a

Page 142

1 change to paragraph 8(b) (5) (c) (c). Which has said at
 2 the same time that such information is publicly posted,
 3 it shall be transmitted to the Secretary of State in a
 4 manner determined by the Secretary of State. And then
 5 this language adds, which shall be subject to in person
 6 contemporaneous review by authorized poll watchers and
 7 observers.
 8 And then the following subparagraph D adds the
 9 language -- what exists, says such results shall be
 10 transmitted in a format prescribed by the Secretary of
 11 State. And then the language added here says in
 12 reviewable contemporaneously by authorized poll watchers
 13 and observers in person and subject to public review
 14 under provisions of OCGA 21-2-72.
 15 And that's all there is to the changes to this
 16 particular rule. It's just to add observation and
 17 oversight to what's going on at election night reporting
 18 while the Secretary of State should be doing those
 19 activities in public.
 20 CHAIRMAN FERVIER: Now are you asking the board to
 21 rule on these line by line or?
 22 MEMBER GRUBBS: No, this is just -- somebody had
 23 their smart pills at lunch. We can do it that way
 24 because technically they are that way, but I'll deal
 25 with you later on the other rules.

Page 143

1 MEMBER KING: I agree. You know, I think not
 2 having representation in that room is important. I
 3 mean, regardless of what's happening there, telling us
 4 nothing's happening. So no one else needs to see it or
 5 be in there. I mean, that's just show us, right. Show
 6 us the nothing. But I do think that it just provides
 7 additional level of security and transparency to our
 8 voters.
 9 VICE CHAIR JOHNSTON: I agree. And especially in
 10 light of the incorrectly reported results to a
 11 candidate, Gambrel, in the last election not
 12 understanding the cause of that incorrect report. If it
 13 originated in the election night reporting or somewhere
 14 else, I think one yet that is yet another reason to be
 15 present. Ms. Grubbs, would you have the complete
 16 documentation that goes with a rule petition amendment?
 17 I know we just got the petition changes, do you have the
 18 rest of the --
 19 MEMBER GRUBBS: I don't have it with me, but I can
 20 do that. And I know that we're going to have to --
 21 we're going to have to have another meeting pretty soon,
 22 so.
 23 CHAIRMAN FERVIER: Well, there is a court hearing
 24 on this next week I believe. So it may validate this,
 25 it may --

Page 144

1 MEMBER GRUBBS: Well, and I'm sure there will be a
 2 hearing and then there will be an appeal and then there
 3 will be another appeal. So I'm sure --
 4 CHAIRMAN FERVIER: I'm not making a comment either
 5 way. I'm just saying that there's a hearing next week
 6 that may invalidate this or validate it or who knows
 7 what's going to happen, so.
 8 VICE CHAIR JOHNSTON: Mr. Chair, I have a motion.
 9 CHAIRMAN FERVIER: Yes, Dr. Johnston.
 10 VICE CHAIR JOHNSTON: I move that we proceed with
 11 consideration for rulemaking for Ms. Grubbs rule 183-1-
 12 12-.12, tabulating results.
 13 CHAIRMAN FERVIER: Dr. Johnston, the proper motion
 14 will be to initiate rulemaking procedures.
 15 VICE CHAIR JOHNSTON: I move that we initiate
 16 rulemaking procedures for 183-1-12-.12.
 17 CHAIRMAN FERVIER: We have a motion to initiate
 18 rulemaking procedures in rule 183-1-12-.12. Is there a
 19 second?
 20 MEMBER KING: Second.
 21 CHAIRMAN FERVIER: We have a motion and second.
 22 Any discussion? Member Ghazal?
 23 MEMBER GHAZAL: I just want to make it clear that
 24 from my perspective, I have no horse in this race. I
 25 have no dog in this fight. And until a judge has ruled

Page 145

1 that there is a legal right, I'm not comfortable
 2 pursuing what I believe may be beyond the scope of our
 3 legal authority.
 4 MEMBER GRUBBS: Well, I'm fighting for your right
 5 to be there too, just saying.
 6 CHAIRMAN FERVIER: Any further comments?
 7 VICE CHAIR JOHNSTON: The only comment, it may be
 8 that there will be a ruling on this before the next
 9 meeting. And that may direct what this board does with
 10 whether to adopt or deny this rule.
 11 CHAIRMAN FERVIER: Correct, that's the reason I
 12 mentioned that.
 13 MEMBER GRUBBS: I mean, I get that. I agree that
 14 the court may do something that would affect it. But as
 15 where we sit right now, you know, it is what it is. And
 16 I feel like the people of Georgia deserve oversight of
 17 that process.
 18 CHAIRMAN FERVIER: Any further comments? We have a
 19 motion and a second to approve this, initiate rulemaking
 20 procedures on this rule. All those in favor signify by
 21 saying aye. I don't think you can vote on your own
 22 rule. Maybe. I think in the past we --
 23 EXECUTIVE DIRECTOR MILLS: You can vote on your own
 24 rule, your own measure.
 25 MEMBER GRUBBS: What says I can't?

Page 146

1 CHAIRMAN FERVIER: Did we? All right. All right.
2 Any in opposition?
3 MEMBER GHAZAL: Nay.
4 CHAIRMAN FERVIER: Vote carries three to one.
5 EXECUTIVE DIRECTOR MILLS: Mr. Chairman.
6 CHAIRMAN FERVIER: Okay. I'm not going to question
7 you, I'm just --
8 EXECUTIVE DIRECTOR MILLS: No, no, no, I'm not --
9 I'm moving on to the next subject.
10 CHAIRMAN FERVIER: Okay. We're moving on to the
11 next one? Good.
12 EXECUTIVE DIRECTOR MILLS: Well, we're still the
13 same subject, but we have a runoff election coming up in
14 just a few days. I'd like to ask this board to consider
15 the thought of asking the chairman and maybe the vice
16 chair, or maybe the -- any way you'd like to go about
17 it, but I believe the Secretary of State should be asked
18 again for attendance.
19 I mean, this is all the marbles, the runoff, and to
20 be shut out of a room and not allowed sight, visual
21 observation is frankly unbelievable.
22 MEMBER KING: I don't mind sending an email to
23 them.
24 CHAIRMAN FERVIER: I don't mind asking again, we'll
25 both ask. I'll ask and copy you. All right.

Page 147

1 EXECUTIVE DIRECTOR MILLS: Well, Mr. Chairman, I'm
2 not asking for a frivolous worded email. Would you
3 plead on the cause and on behalf of this board that we
4 would like to be in attendance?
5 CHAIRMAN FERVIER: Yes, I did that one time. I'll
6 do it again.
7 EXECUTIVE DIRECTOR MILLS: Well, would you take
8 somebody with you on this board so that all ears can
9 hear what's said?
10 CHAIRMAN FERVIER: Well, I'm happy to.
11 EXECUTIVE DIRECTOR MILLS: Can't ask for any more
12 than that.
13 CHAIRMAN FERVIER: Where am I on this agenda? Next
14 item on the agenda is rulemaking petitions and proposed
15 rules by Member Salleigh Grubbs.
16 MEMBER GRUBBS: Here we go again.
17 CHAIRMAN FERVIER: Oh, boy.
18 MEMBER GRUBBS: Okay. So here's the deal is we had
19 all this. I know there's been ample time to review it.
20 To Dr. Johnston's point, and we're looking at the
21 proposed rules, Exhibit 2, subparagraph two, optical
22 scan voting systems, defining the vote. The permanent
23 change would say a vote cast on an optical scan ballot
24 shall be detected and tabulated directly from the
25 original paper ballot and not an electronic copy or

Page 148

1 image of the ballot exported.
2 And then because of what Dr. Johnston said
3 yesterday, added the language exported from the
4 certified voting system. So the --
5 CHAIRMAN FERVIER: Another change?
6 MEMBER GRUBBS: Well, I mean, I can leave it the
7 way that it was. But I was addressing that the concern
8 that she had a vote cast on an optical scan ballot shall
9 be detected and tabulated directly from the original
10 paper ballot and not an electronic copy or image of the
11 ballot exported from the certified voting system,
12 showing what the root origin of the ballot is.
13 CHAIRMAN FERVIER: Are there new copies for the
14 board?
15 MEMBER GRUBBS: Well, no, because I wasn't -- I
16 mean, I can send you a screenshot.
17 CHAIRMAN FERVIER: That's all right.
18 MEMBER GRUBBS: It would just be adding the words
19 at the end of subparagraph two --
20 CHAIRMAN FERVIER: Okay.
21 MEMBER GRUBBS: -- exported from the certified
22 voting system.
23 CHAIRMAN FERVIER: Okay. Are there other changes
24 besides that one?
25 MEMBER GRUBBS: No. And what I'm going to ask the

Page 149

1 board's indulgence is to just take up this, and I'll
2 just forget the rest of the proposed rules at this point
3 in time. We can bring them up at another time. So I'm
4 just asking that we define the vote, and that's it.
5 VICE CHAIR JOHNSTON: Can I see your paper, please?
6 So, Ms. Grubbs, are you not requesting the changes that
7 are made in the rest of definition about the temporary
8 changes and the green mark changes?
9 MEMBER GRUBBS: Yeah. The rest of the -- on the
10 following pages, I'm just -- it was just getting too
11 difficult to try and get any of that done. So I'm just
12 -- I'm asking right now just to make the changes in
13 subparagraph two. Yeah, 183-1-15-.02. That is the
14 definition of the vote.
15 I'm just asking to define the vote under
16 subparagraph two to say, optical scan voting systems, a
17 vote cast on an optical scan ballot shall be detected
18 and tabulated directly from the original paper ballot
19 and not an electronic copy or image of the ballot. And
20 then addressing what you had said yesterday, added the
21 words -- I have to look at it on my phone. Give me just
22 a second. I gave it -- I gave my copy to Mr. Fervier.
23 Exported from the certified voting system.
24 CHAIRMAN FERVIER: Well, here's my question. Does
25 the official tabulation take place in the scanner at

Page 150

1 polling location, or does it take place at the
 2 tabulation center after it's all sent to the -- sent in?
 3 MEMBER GRUBBS: That's it.
 4 CHAIRMAN FERVIER: Where does the official
 5 tabulation take place for the votes?
 6 MEMBER GHAZAL: Mr. Chairman?
 7 CHAIRMAN FERVIER: Yes.
 8 MEMBER GHAZAL: If I may. So in a precinct,
 9 tabulation happens when the polls are closed. So when
 10 you close down the scanner, that's when the tabulation
 11 takes place. And it takes place according to what has
 12 already been scanned. So the -- when the ballots are
 13 scanned in, the precinct scanner takes a digital image
 14 of that. The tabulation doesn't happen at that moment,
 15 just like during early voting.
 16 So the problem that Dr. Johnston pointed out here
 17 still exists. That if, according to this, the vote cast
 18 shall be detected and tabulated directly from the
 19 original paper ballot. Because the scanner is taking a
 20 digital image and tabulating it only when the closed
 21 down procedures are started, I don't think that that
 22 would meet this definition.
 23 CHAIRMAN FERVIER: That's what I was going for.
 24 MEMBER GHAZAL: And so that -- I believe that is
 25 exactly the way it's done when -- in the high speed

Page 151

1 scanners at the county level, that when the absentee
 2 ballots are scanned, it scans it, but the actual
 3 tabulation is done based on the electronic scan.
 4 Only like an old school Scantron is tabulated
 5 directly from the paper. So it goes -- the tabulation
 6 process, I believe, goes from the paper ballot into the
 7 memory and the software. And then the software is going
 8 to tabulate based on the digital image that it has
 9 captured. And I think technically that does not qualify
 10 under this definition.
 11 And therefore there would not be any electronic
 12 tabulation software or hardware available to us if we
 13 pass this.
 14 MEMBER GRUBBS: So, first of all, it's just to
 15 initiate. And I think there's some questions that we
 16 don't have answered. I understand what you're saying,
 17 that it's capturing an image in the scanner. So, but do
 18 you understand what I'm trying to achieve here? That it
 19 is -- because right now, like I'd said earlier in the
 20 meeting, what I don't want to have happen is people's
 21 votes being tabulated by images that are not the direct
 22 reflection of how they voted.
 23 You know, transmitting from scanning a ballot into
 24 a scanner and tabulating from that versus scanning a
 25 ballot, taking an image, and then those images being

Page 152

1 uploaded into a cloud and being tabulated from a cloud
 2 source where you're not sure of the security, you're not
 3 sure whether the images have been manipulated and things
 4 like that.
 5 So I'm all open to hearing suggestions, but
 6 scanning a ballot, and the most -- first of all, I don't
 7 think we have all of the information to say exactly the
 8 mechanism like you explained. Not sure when that
 9 actually happens.
 10 VICE CHAIR JOHNSTON: Well, but let me add, when
 11 the ballot is scanned, the vote is captured. Okay.
 12 It's captured, and that's when the vote is actually
 13 cast. So it's not that it's held until the close of
 14 polls, it is accumulating those votes as the ballots are
 15 scanned and that vote is captured.
 16 MEMBER GHAZAL: But it's not tabulated, and the
 17 language says tabulated directly from the paper.
 18 MEMBER GRUBBS: Well, the reason --
 19 VICE CHAIR JOHNSTON: It is. It is. It's just --
 20 it's a simple Dominion software, like a formula, like in
 21 an Excel spreadsheet. So as you add the vote, it
 22 increments it up one for that candidate. It doesn't
 23 wait until the end of the day to increment all the
 24 votes.
 25 MEMBER GHAZAL: But I think it does. I think it

Page 153

1 waits until -- because it's not legal to tabulate before
 2 polls are closed.
 3 VICE CHAIR JOHNSTON: It's in the scanner.
 4 MEMBER GHAZAL: Right. It's in the scanner.
 5 VICE CHAIR JOHNSTON: It's not visible.
 6 MEMBER GHAZAL: But it hasn't been tabulated. I
 7 don't -- I think the actual -- so I don't want to put
 8 ourselves in a position where somebody can come back and
 9 say, well, now you have to hand tabulate all your
 10 ballots. Because you just passed a rule that said you
 11 have to tabulate off the paper.
 12 VICE CHAIR JOHNSTON: I think what Ms. Grubbs is
 13 trying to say is you shall not take the ballot images
 14 and tabulate from those images -- from the images of the
 15 ballots. That it needs to be held within the scanner
 16 that you have just scanned the ballots.
 17 MEMBER GRUBBS: That's correct.
 18 MEMBER GHAZAL: Not exactly what this says. I
 19 understand the --
 20 VICE CHAIR JOHNSTON: That's the intent, I think.
 21 MEMBER GHAZAL: -- attempt, but we're not quite
 22 there.
 23 MEMBER GRUBBS: So how would you suggest changing
 24 the wording to get that point across?
 25 MEMBER GHAZAL: Well, I would have to wordsmith

Page 154

1 that, and I'm not going to do that here. I'm very slow
 2 at that sort of thing. I'm just not in a position to do
 3 that.

4 VICE CHAIR JOHNSTON: Perhaps you need an engineer,
 5 Member Grubbs. But the tabulation is actually occurring
 6 throughout the day as the ballots are scanned. And
 7 they're accumulated during the day, and the totals are
 8 printed out, which we oftentimes call tabulation. But
 9 those are actually, you're just presenting the totals.
 10 But it's not that it does the add up at 7:00 p.m.

11 CHAIRMAN FERVIER: Well, don't they go to a --

12 MEMBER GRUBBS: But we don't really know that for
 13 sure, do we?

14 CHAIRMAN FERVIER: Well, we don't. And then they
 15 go to a center to where they're all -- from all the
 16 different precincts, are put together and tabulated.

17 VICE CHAIR JOHNSTON: That is consolidated.

18 CHAIRMAN FERVIER: Consolidated, yeah. You could
 19 call it tabulated.

20 MEMBER KING: So wouldn't that be -- if you were to
 21 initiate rulemaking, wouldn't that be the time when we
 22 are to debate it, rework it, speak to the attorneys?

23 MEMBER GRUBBS: Exactly, that's my point, is that
 24 initiating rulemaking doesn't mean that it's become a
 25 rule.

Page 155

1 MEMBER KING: Right.

2 MEMBER GRUBBS: It means that we're investigating
 3 the process of making it, and I'm totally open, you know
 4 --

5 CHAIRMAN FERVIER: Well --

6 MEMBER KING: In considering that there is
 7 discussion happening where there are -- the SOS is
 8 considering tabulating based off of ballot images and
 9 not the original document, I do think this is necessary
 10 to be clear and to define it. But I do think that it's
 11 okay to start the rule initiation process so that we can
 12 discuss that, and then maybe once, you know, during that
 13 time period, Member Ghazal, as well as any other
 14 attorneys, can assist with the wording of it, which may
 15 adjust prior to it coming back.

16 CHAIRMAN FERVIER: That would probably -- I mean,
 17 if you initiate rulemaking procedures and make
 18 substantial changes to it, then --

19 MEMBER KING: Well, just not substantial, it may
 20 just be a few --

21 CHAIRMAN FERVIER: Yeah, we don't know.

22 MEMBER KING: -- we don't know.

23 MEMBER GRUBBS: I mean, you know, it would be fine
 24 with me to stop after a vote cast on an optical scan
 25 ballot shall be detected and tabulated directly from the

Page 156

1 original paper ballot period, and take out, and not an
 2 electronic copy or image of the ballot.

3 MEMBER KING: I don't have a problem with the
 4 electronic copy of the image because I think that part
 5 is the part that speaks directly to what I'm concerned
 6 about with the SOS direction that I feel like they're
 7 going.

8 VICE CHAIR JOHNSTON: It seems like our concern is
 9 that there's a consideration that's in the works of
 10 tabulating, not using the ballot scanner tabulator to
 11 actually tabulate the votes, but to use another method
 12 to tabulate votes. This optical character read, which
 13 means literally the images are removed, essentially
 14 removed from the original ballot scanner tabulator and
 15 tabulated by a different device, a different piece of
 16 equipment.

17 And that's not legal and it's not certified. And I
 18 think that perhaps some people on this board want to
 19 prohibit that from occurring.

20 MEMBER GRUBBS: That's exactly right. And I think
 21 that the edict that came out day before yesterday is
 22 further evidence of trying to judge our ballots and our
 23 votes, but I'm going to call them pie in the sky
 24 Frankenstein processes, rather than what voters intend
 25 when they cast their ballot. And I feel like it's very

Page 157

1 important for us to define that.

2 I believe that it is in accordance with law,
 3 exactly what Georgia code says. And so, if there's some
 4 tweaks that need to be made, then that's fine. But I
 5 think we can do that during the rulemaking process. And
 6 in the meantime, we get the conversation going.

7 VICE CHAIR JOHNSTON: This also fringes on the
 8 emergency complaint we just received that Fulton County
 9 is scanning ballots after the election, that they have
 10 re-scanned thousands of ballots after the primary
 11 election and are intending to use those as official
 12 ballot counts. This type of process or procedure is
 13 illegal.

14 It's not allowed. You can't do that. You can't
 15 tabulate votes and then take them somewhere else and
 16 tabulate them again and call it good. It's a break in
 17 chain of custody. It's an abuse of the election
 18 process. And apparently it was done in secret. Well,
 19 anyway, it's very concerning and raises additional
 20 issues about all of this.

21 MEMBER GRUBBS: Mr. Chair, since I'm not a member
 22 of the public and trying to petition the board, I don't
 23 need to do the petition. I mean, on the other rule is
 24 what I was going to say. But anyway, I would appreciate
 25 the opportunity to initiate rulemaking on this.

Page 158

1 If we find out some other language, if we can find
2 out other language or some information, I'm happy to
3 revisit it. But I would like -- I would appreciate the
4 board's vote on initiating rulemaking on this.

5 CHAIRMAN FERVIER: I just wonder if language was
6 added that said this will not preclude the use of
7 optical scanners for the counting of ballots generated
8 by the ballot marking devices or something. I don't
9 want this rule to lead to a situation where somebody
10 thinks that they can only hand count ballots.

11 MEMBER GRUBBS: Well, it's under optical scan
12 voting systems.

13 CHAIRMAN FERVIER: Yeah, I'm just further
14 clarifying that.

15 MEMBER GRUBBS: I mean, the rest of the rule is
16 dealing with optical scan voting. So, I mean, it's
17 literally under that, under that section. I mean, and
18 maybe one day we'll have, we can remove the language
19 about lever-type voting machines, unless those are going
20 to come back.

21 CHAIRMAN FERVIER: You never know. The
22 legislature's meeting in a couple of weeks, we'll find
23 out. Any further questions from the board on this? So,
24 your proposal is to just -- this one comments are --
25 this one section on the 183-1-15-.02 definition of a

Page 159

1 vote, number two in the language would be, a vote cast
2 in an optical scan ballot should be detected and
3 tabulated directly from the original paper ballot and
4 not an electronic copy or image of the ballot exported
5 from the certified voting system.

6 MEMBER GRUBBS: Correct.

7 CHAIRMAN FERVIER: And then everything else in this
8 proposal, you're withdrawing, correct?

9 MEMBER GRUBBS: I mean, yes, because clearly y'all
10 don't want to -- y'all don't want to vote on it as a
11 whole and then don't want to take it individually. I
12 can break it up into 26 different rule proposals.

13 CHAIRMAN FERVIER: Not today.

14 MEMBER GRUBBS: Which I'm happy to do at another
15 time. But for now, no, that's the only -- that's the
16 only thing I'm asking for a vote on.

17 CHAIRMAN FERVIER: Okay. So, the only thing before
18 this board today is that one -- one paragraph?

19 MEMBER GRUBBS: Yep.

20 CHAIRMAN FERVIER: Any further comments or anything
21 from the board?

22 MEMBER KING: Mr. Chair, I'd make a motion that we
23 initiate rulemaking procedures on the amendment one, or
24 A, and send this into the process of reviewing this to
25 see if we can move forward.

Page 160

1 MEMBER GRUBBS: An I would request -- Okay. I'm
2 sorry, go ahead.

3 CHAIRMAN FERVIER: We have a motion to initiate
4 rulemaking procedures on 183-1-15-.02, definition of
5 vote, paragraph number two, the starting with optical
6 scan voting systems. Is there a second?

7 VICE CHAIR JOHNSTON: Second.

8 CHAIRMAN FERVIER: There's a motion and a second.
9 Any further discussion? Hearing no discussion --

10 VICE CHAIR JOHNSTON: Just a question. Does this
11 meet the new criteria required from the Supreme Court?

12 CHAIRMAN FERVIER: That would be a question for the
13 petitioner.

14 MEMBER GRUBBS: What new criteria are you talking
15 about? Are you talking about eternal vigilance?

16 VICE CHAIR JOHNSTON: Yes.

17 MEMBER GRUBBS: I believe it does, in my opinion.

18 CHAIRMAN FERVIER: Any further comments, questions?
19 All those in favor signify by saying aye. Any
20 opposition?

21 MEMBER GHAZAL: Nay.

22 CHAIRMAN FERVIER: The motion carries three to one.
23

24 MEMBER GRUBBS: I would ask the Executive Director
25 to please be sure that this is transmitted to

Page 161

1 legislative council tomorrow for sure, to get their
2 review and input.

3 EXECUTIVE DIRECTOR MILLS: This is to initiate the
4 rulemaking process, right?

5 CHAIRMAN FERVIER: Procedures.

6 MEMBER KING: Member Grubbs.

7 MEMBER GRUBBS: You're welcome. I didn't make you
8 sit through 25 more.

9 CHAIRMAN FERVIER: Oh, my gosh. Are you
10 withdrawing your petitions -- all the remainder of the
11 petitions?

12 MEMBER GRUBBS: I'm suspending them for now.

13 CHAIRMAN FERVIER: Okay. Next item on the agenda
14 is -- let me see. You're right, the Director's report.

15 MEMBER GRUBBS: Draft -- remember I've got draft
16 legislation and entering guidance, too.

17 CHAIRMAN FERVIER: Don't worry, I've got all kinds
18 of clarity on my notes here. Mr. Executive Director.

19 EXECUTIVE DIRECTOR MILLS: Sure. Mr. Chairman,
20 I'll make this short and brief.

21 CHAIRMAN FERVIER: Thank you.

22 EXECUTIVE DIRECTOR MILLS: I would just say that
23 this has been a busy month as it always is when you have
24 an election in the month and in the office. We've been
25 extremely busy. As you know, we started out exploring

Page 162 1 the possibility of drop bags and the multiple drop bag 2 locations that were added in specifically certain 3 counties, specifically Fulton County, who added a large 4 number. 5 We came up with a plan to follow up on that and 6 then we learned that we were not able to do it unless we 7 had done some necessary background checks even to use 8 volunteers. So we had to back off of that. However, I 9 think Member Ghazal had shared that they had stopped the 10 drop ballot. 11 MEMBER GHAZAL: That was my information that was 12 shared with me. 13 EXECUTIVE DIRECTOR MILLS: Yes. And one of the 14 reasons I think was that somebody was writing down car 15 tag numbers. So it was reported. But anyway, I would 16 say to you, if writing down the car tag numbers of 17 couriers is enough to stop a program, then we made 18 progress. If somebody's doing something questionable, 19 you know, then I appreciate those that came out, 20 received the training. 21 And so while it was not a success, it did at least 22 increase chain of custody in certain situations. And 23 also this past month, we brought on board into the 24 agency licensed private investigator, Larry Duckworth to 25 be one of our part-time investigators. And then we also	Page 164 1 investigator that investigated it, what was the decision 2 when the case was adjudicated by the board and what date 3 and what the decision made, who the forms were sent to 4 or letters or did the AG take it up. All of that will 5 be recorded. 6 And in regards to the slog file complaint that has 7 come in, while the board was not able to hear that 8 today, I personally think it bears tremendous 9 information that needs to be checked into. Now, is it 10 right or wrong? I don't know. I haven't studied it 11 enough to know. I'm not an expert in slog files, but I 12 will say this, that I commit to you that we're going to 13 investigate this. And if there's nothing to it, we'll 14 come back and tell you that there's nothing to it. And 15 if there is something to it, then hopefully we'll find 16 out, because what we don't need is another election full 17 of errors. 18 And I think that's the grand goal of everyone. 19 During the primary election, we had Investigator Larry 20 Duckworth, we had Investigator Jason Frazier, as well as 21 the chairman, was at the Fulton County Hub on election 22 night and Shawn White, our open records officer, 23 part-time bailiff for the SEB. 24 CHAIRMAN FERVIER: Sean. 25 EXECUTIVE DIRECTOR MILLS: Sean, I said Shane, I'm
Page 163 1 brought on part-time investigator, Jason Frazier to be 2 part of our data investigating and also to help in other 3 areas as well. 4 We brought on a full-time employee by the name of 5 Jennifer Sanders, and we're excited to have Jennifer 6 Sanders with us. She has previous experience in county 7 elections. She was a poll worker. She's been an 8 assistant manager. She's also been a precinct manager. 9 And so Jennifer Sanders started with us the 1st of June 10 and we're extremely excited to have her on board as 11 we're going to continue to develop the tracking software 12 for complaints that come in. 13 In the past, there's been no way to track these 14 complaints. We now have a system that will allow us to 15 do that and the agency will be moving full speed ahead 16 on implementing this program. And hopefully in the 17 future, when questions come up about complaints that 18 have come in from this date and beyond, we'll be able to 19 say, hey, this is exactly where the complaint is at in 20 the process, by using this tracking system. 21 It's going to be extremely valuable and it will 22 help us have a better record ongoing when all of us are 23 no longer here. Somebody can stand on our shoulders and 24 keep a record of what happened to that particular 25 complaint, when it became a case, who was the	Page 165 1 sorry. 2 CHAIRMAN FERVIER: I like Shane. 3 EXECUTIVE DIRECTOR MILLS: All right. I apologize, 4 Sean. Sean was there as well and they were observing 5 and we're going to continue to take proactive measures 6 in regards to voting in Georgia. It's not our desire to 7 catch somebody and say, gotcha, we want to work with 8 counties. We want to -- we realize that you're there 9 because you believe in the voting system. You want to 10 make it better, and we do as well. So we will be taking 11 proactive measures. 12 And in regards to that, I sent a list of about six 13 things we had asked for from both Fulton County and Cobb 14 County in way of, in the results of this past election. 15 Cobb County was very responsive and said that they would 16 provide the documents that we'd asked for, such as 17 tabulation tapes, closing, opening, just simple things 18 that every county should have and should have access to. 19 And Fulton County notified me that they would send 20 it to their open records department and they would get 21 back with us. And I notified the attorney that was here 22 earlier for Fulton County. We all know there's a time 23 limit of certification and once certification takes 24 place after that, then those are stored with the clerk 25 of court. The only way you can get those documents then

Page 166

1 is to go to Superior Court and get a judge to grant you.
 2 What we were attempting to do was just to validate those
 3 before that happened.
 4 And I'm hopeful that Fulton County will change
 5 their attitude toward this and be as cooperative as Cobb
 6 County seems to be. Again, I'd love nothing more to say
 7 than this county's moving in the right direction. And I
 8 want to say, there was a time not too many months ago
 9 when there were several hundred birthdays that were
 10 around the year of 1900 and 1800 that were on Fulton
 11 County's registrar.
 12 We brought that to their attention. And without a
 13 formal complaint now, Fulton County made the adjustments
 14 and the last report I had gotten is that that's down
 15 into the teens, which I hope it'll soon be to zero, but
 16 to get it down to that low is fabulous progress. And so
 17 I congratulate Fulton County or any county. We all want
 18 voter rolls to be cleaned up. We want them to be
 19 correct. We don't want to have situations like we heard
 20 earlier today.
 21 And, Mr. Chairman, I'm going to stop there. We've
 22 had some great additions and I can't say enough about
 23 Hope Cohen, Sherrie Pilgrim, Sean White, Larry
 24 Duckworth, Jason Frazier, and our new hire, Jennifer
 25 Sanders. She's going to be stellar as well. Thank you.

Page 167

1 CHAIRMAN FERVIER: I'm sorry, did you have a
 2 comment?
 3 MEMBER KING: Yeah. I was going to say, I think, I
 4 don't want to skip over the fact that Fulton did reduce
 5 and clean up that portion of their voter rolls. I mean,
 6 Fulton has a long way to go. And, but I do think that
 7 it's important that if you're going to continue to beat
 8 up on them and highlight all the negatives that we do
 9 highlight when they do something positive. And so I
 10 appreciate you adding that. And I thought Sherrie's
 11 last name was Phillips. Is it Pilgrim?
 12 SHERRIE PHILLIPS: No, it's Phillips.
 13 EXECUTIVE DIRECTOR MILLS: It is Phillips, did I
 14 say Pilgrim? I'm sorry, I apologize.
 15 CHAIRMAN FERVIER: Call her Shane too.
 16 EXECUTIVE DIRECTOR MILLS: What is it? Men have
 17 12,000 words a day, women have 25,000. I'm at my 12,000
 18 limit.
 19 CHAIRMAN FERVIER: Next on the agenda is a former
 20 SEB employer, Alexander Hardin, archives, state election
 21 board, text messages involving state business from
 22 government issued and personal phones during their
 23 employment with the state election board. Who added
 24 that one to the agenda?
 25 MEMBER KING: I didn't add that, but that was added

Page 168

1 a long time ago. Did we ever get her documents?
 2 CHAIRMAN FERVIER: We got her emails.
 3 MEMBER KING: We got her emails --
 4 CHAIRMAN FERVIER: Yes.
 5 MEMBER KING: -- but not her phone.
 6 CHAIRMAN FERVIER: No.
 7 MEMBER GRUBBS: Why did we not get the phone?
 8 CHAIRMAN FERVIER: I'm going to tell you -- I'm
 9 only going to repeat what I've been told. Is that when
 10 she was no longer employed by the SEB, she turned in her
 11 government issued phone and it goes to IT, and they do a
 12 factory reset on it and they reissue the phone to
 13 somebody new. That's what I've been told.
 14 MEMBER KING: So all of the SEB business that was
 15 on that phone is now deleted?
 16 CHAIRMAN FERVIER: That's all I know. That's all I
 17 know, is that they do a factory reset and that it gets
 18 reissued.
 19 EXECUTIVE DIRECTOR MILLS: So when you were told
 20 that, you just said what, nothing?
 21 CHAIRMAN FERVIER: Well, I said, is that standard
 22 policy? And they said, yes. I mean, they do not
 23 download anything off of that. They do a factory reset
 24 on it and reissue the phone.
 25 EXECUTIVE DIRECTOR MILLS: That is archived

Page 169

1 information. It should have been from the SEB. I'm not
 2 going to argue whether or not it's our phone or their
 3 phone. If they issued the phone, they got a point.
 4 It's theirs. What is not theirs is the historical data
 5 and archived information that was on that phone. And
 6 for anybody to wipe it without talking to this board.
 7 MEMBER GRUBBS: It wasn't theirs to do.
 8 EXECUTIVE DIRECTOR MILLS: Mr. Chairman, I don't --
 9 you just accepted that?
 10 CHAIRMAN FERVIER: Well, it's been done. I'm not
 11 quite sure what you wanted me to do about it at that
 12 point, but it's been done.
 13 VICE CHAIR JOHNSTON: What do you do about an
 14 agency that deletes public documents, government
 15 documents?
 16 MEMBER GRUBBS: I mean, you know, it's the same
 17 thing. I know as far as, you know, the next item with
 18 emails and stuff like that. I mean, I go through great
 19 pains to have a separate phone and to, you know, not
 20 even not delete spam emails I get. And she was the
 21 paralegal for the SEB and handled a ton of business.
 22 And I know the policy, at least when Chris Harvey
 23 was at the, you know, ahead of elections, it was, you
 24 know, keep everything and all that kind of stuff. I
 25 just -- I believe you, Mr. Chairman, that that's what

Page 170

1 you were told. But it is hard for me to believe that a
 2 state agency goes and just automatically deletes and
 3 resets a phone without some kind of oversight to know
 4 whether that was important information.

5 And while they paid for the phone, I guess I'm sure
 6 they billed us for it. That data and that kind of
 7 thing, it's just, it's unbelievable to me that this --
 8 they just get away with doing whatever they want. You
 9 know, it just gets old.

10 DR. JOHNSTON: I mean, what if we deleted our text
 11 messages? And then American oversight comes calling
 12 again.

13 EXECUTIVE DIRECTOR MILLS: This has been being
 14 asked for since July of last year. It started when Vice
 15 Chair Johnston was asking for it. And so it's -- this
 16 has been going on a while. And, Mr. Chairman, you have
 17 to advocate for this board when you communicate with the
 18 SOS.

19 Otherwise, you're just a mouthpiece of the SOS and
 20 that's not what the chairman of the SOB is for.

21 VICE CHAIR JOHNSTON: He can only convey what he's
 22 told, I know. I don't blame the chairman for this
 23 situation. I do blame, you know, I believe that it's a
 24 typical pattern of delay, deny, deflect, delay, deny,
 25 deflect. And that's with every aspect of what we deal

Page 171

1 with -- with the Secretary of State's office.
 2 And it says with the bunker, delay, deny, deflect.
 3 I mean, the three Ds of the Secretary of State's office
 4 in Georgia.

5 MEMBER KING: I think my question is when was this
 6 done? Because we've been asking for this since she
 7 left. And we -- I mean, did we get this update
 8 recently?

9 CHAIRMAN FEVERIER: No, no, my understanding was
 10 that that's -- no, I've told this to the board before.
 11 So my understanding was it was done as soon as she
 12 transitioned from the SEB to the SOS. She turned in her
 13 phone, government issued phone. They factory reset it
 14 and they reissued it, so.

15 MEMBER KING: I thought the last time when you
 16 mentioned it, you weren't sure. Like it was -- I think
 17 it was a --

18 CHAIRMAN FEVERIER: That's what I was told, I went
 19 back and asked again. So it's the same thing. Yeah, I
 20 mean, we have talked about this for six months and I
 21 have said the same thing for six months.

22 MEMBER GRUBBS: Let's just take it off the agenda
 23 because it's never going to go anywhere anyway.

24 CHAIRMAN FEVERIER: All right.

25 MEMBER GRUBBS: I mean, clearly they're not going

Page 172

1 to produce what they don't want to produce. So there's
 2 no point wasting any more time talking about it. And
 3 the election board emails and that kind of thing --

4 CHAIRMAN FEVERIER: Let me go with that one,
 5 election board emails and text messages and this related
 6 to Addison Brooks and Sheila Pinnup. And those emails,
 7 I understand have been given to us. They were not
 8 issued government phones. So they do not have any
 9 government phones, those two. Right. And my
 10 understanding is that we were provided those emails, so.
 11 Next item on the agenda is SEB189.

12 MEMBER GRUBBS: SB189.

13 CHAIRMAN FEVERIER: I'm sorry, SB, not SEB, it's a
 14 long day.

15 MEMBER GRUBBS: Well, also have the draft
 16 legislation.

17 CHAIRMAN FEVERIER: That's not on the agenda.

18 MEMBER GRUBBS: I mean, I asked about it yesterday
 19 and I sent it along with the emails and we've talked
 20 about it in the meeting. I mean, wherever you want to
 21 talk about it, or if you don't want to talk about it.

22 VICE CHAIR JOHNSTON: I confess I have not had time
 23 to read through and study all of that.

24 CHAIRMAN FEVERIER: What's the legislation for the
 25 next legislative session?

Page 173

1 MEMBER GRUBBS: I think it's draft legislation, you
 2 know, that includes, you know, temporary use of the
 3 backup balloting. It's important legislation now
 4 considering that they're about to have a special
 5 session. So, that's why I was presenting it.

6 It was taking into account the fact that they're
 7 going into special session. I mean, do we not have any
 8 recommendations for the special session?

9 MEMBER KING: I don't think we need to take a vote
 10 on that, do we? Can we all just add -- Well, I read it
 11 and it was good and I do -- I want to add Member
 12 Ghazal's point too about extending those five days and
 13 then -- But I mean, we all could just send -- I mean,
 14 can't we all just add items and then create one master
 15 list that can go to them?

16 EXECUTIVE DIRECTOR MILLS: If I may, the special
 17 sessions that are called by the governor usually have
 18 specific requirements that are issued that go out with
 19 them about items that can be discussed past. Usually
 20 they allow for, I haven't read this one, usually it
 21 allows for local legislation and then the specific
 22 topics that he mentions. So, I don't know if these will
 23 be within that or outside of that.

24 MEMBER GRUBBS: Well, dealing with SB189 is one of
 25 the reasons they're going back into session. And I

Page 174

1 thought it would be nice if we could -- novel idea here,
 2 so stick with me -- if we could be united in legislative
 3 recommendations to the legislature as they go into
 4 special session.
 5 CHAIRMAN FERVIER: I would -- I would suggest at
 6 this point, I mean, have you sent it via email?
 7 MEMBER GRUBBS: Yes, you have it.
 8 CHAIRMAN FERVIER: Okay.
 9 MEMBER GRUBBS: And I put it also in the written
 10 packet I gave you.
 11 CHAIRMAN FERVIER: Then any -- yeah, any board
 12 member that wants to add on to it and support it, can
 13 let you know that and you can send it over to them, how
 14 about that?
 15 MEMBER GRUBBS: I will wait with bated breath.
 16 CHAIRMAN FERVIER: You can hold your breath, or
 17 bated breath.
 18 MEMBER GRUBBS: You can't get that lucky.
 19 MEMBER KING: So basically -- basically what you
 20 have, I mean, we're okay with her sharing that with
 21 them.
 22 CHAIRMAN FERVIER: I haven't looked at it, so I'm -
 23 -
 24 MEMBER GRUBBS: I would -- I would really -- so
 25 y'all know from the amount of emails you get from me,

Page 175

1 because I'm an emailer because I don't have time to stay
 2 on the phone a lot. And I try to be communicative and
 3 to, you know, as this board, we have varying opinions
 4 and we're going to all vote differently from time to
 5 time. But I want us to be united in the mission of
 6 free, fair, accountable elections for the people of the
 7 state of Georgia.
 8 And part of that's communicating and some of us
 9 like to communicate and some of us don't. I happen to
 10 be an emailer and a communicator. So I would really
 11 appreciate the email input and I will send this on to --
 12 you know, to the House Governmental Affairs Committee
 13 and to the Senate Ethics Committee because they, you
 14 know.
 15 But what I didn't want to have happen is the SEB
 16 not to have a voice in the impending session that's
 17 happening. I wanted us to be united in some of the
 18 things that we can agree on. So if you read things that
 19 you agree on, then please let me know and I'll do two
 20 columns. Here's where we all agree. You know, this is
 21 what our recommendations are to the legislature because
 22 we eat, sleep, and drink elections all the time.
 23 And I dare say, I don't really think that a lot in
 24 the legislature do. So it would be helpful to hear from
 25 us. Otherwise, you're going to get, you know, one side

Page 176

1 of the story from the Secretary of State and I don't
 2 think that's right. We're here with the people.
 3 CHAIRMAN FERVIER: I will respond to your email
 4 when I --
 5 MEMBER KING: And just for the, so that the public
 6 doesn't think that we don't -- we -- every session, we
 7 do send recommendations as a board to the Electoral
 8 Assembly. But, I mean, I do agree that if we can add
 9 something for this special session, I'm fine with it. I
 10 was fine with her list.
 11 CHAIRMAN FERVIER: Yeah, I just wanted to clarify,
 12 I don't drink elections.
 13 MEMBER GRUBBS: I did last night.
 14 CHAIRMAN FERVIER: What I was drinking.
 15 MEMBER GRUBBS: And I would like to address, since
 16 we have people from boards of election and election
 17 directors in here, it also includes funding 2026 ballot
 18 printing. If there are concerns about the cost or
 19 expense of printing ballots for hand-marked paper
 20 ballots, what we've got in here is provides for state
 21 reimbursement of commercial or onsite ballot printing
 22 for elections conducted in 2026 after the effective date
 23 of the legislation.
 24 Although paper ballot voting will reduce operating
 25 cost, counties will experience some transition cost in

Page 177

1 training and planning. The legislation charges the SEB
 2 with rulemaking to set minimum ballot stock requirements
 3 for paper ballot availability and polling places, so on
 4 and so forth. So I just want the counties to know that
 5 as far as I'm concerned, the cost you bear and the
 6 things that you have to go through with training and
 7 that kind of thing is very much in my mind when it comes
 8 to recommending legislation and what we do.
 9 So I just want you to know that. And if you want
 10 to see a copy of this, I'm happy to provide it.
 11 CHAIRMAN FERVIER: We're coming to our final item
 12 on the agenda. Second to final. The final one's going
 13 to be adjournment. To my favorite portion, which is
 14 public comment.
 15 MEMBER GRUBBS: We have the emergency complaint
 16 that came in.
 17 CHAIRMAN FERVIER: That's not going to be -- we
 18 don't discuss complaints. No, that needs to be
 19 investigated.
 20 MEMBER GRUBBS: Okay. And then --
 21 CHAIRMAN FERVIER: We don't have to vote on
 22 investigating things.
 23 MEMBER GRUBBS: And I have one question before you
 24 get to public comment.
 25 CHAIRMAN FERVIER: All right.

Page 178

1 MEMBER GRUBBS: So in the January meeting, which
2 was my first meeting, there was a presentation by Joe
3 Rossi. And I wanted to go back and read the transcript
4 of that because it seemed like there was some action
5 that should be taken or some new information on that
6 case. And we don't have the transcript. So I have not
7 been able to go back and dig into that. But I think
8 that there's still some issues to be resolved there.
9 And I would just like to say, as soon as we can get
10 the transcript and figure that out, I would want to
11 initiate another complaint based on the new information.
12 CHAIRMAN FERVIER: If you direct that to Executive
13 Director, then that would be appropriate.
14 MEMBER GRUBBS: Okay.
15 CHAIRMAN FERVIER: Okay. Back to my favorite
16 portion of the meeting, which is the public comment
17 section. Our Executive Director will handle that along
18 with our part-time bailiff, Shane, Sean White.
19 EXECUTIVE DIRECTOR MILLS: Okay. We had a little
20 bit of confusion yesterday and I want to make sure that
21 nobody gets left out that signed up. So I'm going to
22 read through these names here. And if you signed up
23 yesterday with the intention of speaking yesterday and
24 we didn't call on you because you had to leave or
25 whatever, let me just read these names off.

Page 179

1 And if you would just raise your hand if you're
2 here, then that way I'll know, or if you plan on
3 speaking. If you don't, if you're here and you don't
4 plan on speaking, then that's fine. Betsy Shackelford, I
5 believe she spoke yesterday. Okay. Elizabeth
6 Hendrickson. Okay. And you're going to speak today?
7 Okay. C.S. Eller. Okay. Mandy Shultz, were you going
8 to speak today too? Okay. Raenell Solter. Okay. Pam
9 Woodley. Okay.
10 Now we're back to today's list. All right. First
11 person, if we could have Elizabeth Hendrickson, Max.
12 CHAIRMAN FERVIER: Why don't you call out that list
13 and see who's here real quick.
14 EXECUTIVE DIRECTOR MILLS: Okay. Elizabeth
15 Hendrickson, Max Cleland --
16 MAX CLAVIGO: Clavigo.
17 EXECUTIVE DIRECTOR MILLS: Clavigo. I'm going to
18 get that right one day. Sam Carlin. I believe Sam, did
19 he leave? Okay. There you are. All right. Ms.
20 Elizabeth, if you would come and start off and then
21 it'll be Max and then Sam after.
22 ELIZABETH HENDRICKSON: Good afternoon. My name is
23 Elizabeth Hendrickson and I'm from Cobb County. I would
24 like to encourage this board to consistently seek
25 balanced information when making decisions about matters

Page 180

1 before them. The loudest voices are not always
2 representative of the majority and are not always the
3 best informed.
4 In cases, the board always seeks statements or
5 testimony from both the complainant and the respondent,
6 often revealing circumstances that significantly affect
7 the decision of the board. The same would likely be
8 true of other rules and recommendations.
9 As a recent example, I'd like to thank Chairman
10 Fervier for his remarks in support of further
11 investigation before this board's endorsement of an
12 outside tool for one of the myriad duties of county
13 elections departments, voter roll maintenance. Making
14 certain that only eligible voters participate in our
15 elections is important. And I applaud all efforts to
16 make sure that our elections are free and fair.
17 I appreciate the time and effort of citizens who
18 assist when they have personal knowledge of a voter
19 whose circumstances may have changed. However, the
20 overall job belongs to counties, not private citizens
21 who rightfully have no access to protected private
22 information. This board is wise to use caution in
23 evaluating all such tools before endorsing them.
24 I encourage the board to seek broad input and
25 opinions from other experts about these tools, as Ms.

Page 181

1 Ghazal suggested yesterday. The data is -- the data is
2 certainly true, but also incomplete. The usefulness and
3 reliability of any tool is certainly subject to debate
4 and scrutiny and consulting data experts not associated
5 with any tool or system under consideration would be a
6 prudent step to take before promoting it.
7 I would also encourage this board to continue to
8 enforce rules preventing members of the public, prior
9 speakers or complainants inserting themselves into board
10 discussions unless invited by the board to add further
11 details or answer questions. I also thank the chair for
12 stopping the presentation on an ongoing investigation
13 that was out of order. Thank you all for your service
14 and for your commitment to balance and considering the
15 important matters before you. Thank you.
16 EXECUTIVE DIRECTOR MILLS: Thank you. Max.
17 MAX CLAVIGO: I'm Max Clavigo from Forsyth County.
18 We have witnessed tremendous amount of speculation about
19 the upcoming special session of the Georgia General
20 Assembly. The legislature must address the July 1st
21 deadline for the elimination of QR codes on Georgia
22 ballots.
23 Most election integrity advocates would like to see
24 a mandate for hand-marked paper ballots. Blake Evans
25 tells us that the legislature will require that votes

Page 182

1 are tabulated using optical scanners. Managing
 2 expectations is one of the keys to a happy and
 3 successful life. Whether the interaction is at your
 4 job, socially with friends or with your personal
 5 relationships, we must manage expectations.
 6 Think about it. If you tell your spouse that
 7 you'll be home at six o'clock for dinner, you have set
 8 an expectation. If you get home at eight o'clock,
 9 dinner is ruined and your spouse is furious. You have
 10 failed to meet your expectation. If you get home at
 11 5:30, you have time to relax with your spouse and enjoy
 12 your dinner. You have exceeded expectations.
 13 Election integrity advocates are now left with two
 14 choices. Wait for a possible executive action or look
 15 to the state election board to establish rules for
 16 election procedures that will give us confidence in the
 17 tabulation of our votes. One thing the legislature
 18 won't do is implement new controls. This is where the
 19 SEB comes in. The SEB must boldly take unprecedented
 20 steps to implement controls to assure that election
 21 results are accurate.
 22 Rules can be implemented to perform unbiased audits
 23 of the voter tabulation. I hereby offer to assist in
 24 any way that I can. The people of Georgia need your
 25 help. We expect you to take bold action. Don't be late

Page 183

1 for dinner.
 2 EXECUTIVE DIRECTOR MILLS: Thank you, Max. Mr. Sam
 3 Carnline.
 4 SAM CARNLINE: Thank you, Board. Sam Carnline,
 5 Grady County, where we grow a lot of pine trees and we
 6 can make hand-marked paper ballots out of all the pine
 7 trees we grow in Grady County. I want to commend Dr.
 8 Johnston on such a great run as vice chair. Thank you
 9 so much. Thank you, Member King, for coming up with
 10 that resolution today that will hopefully correct some
 11 of the things that we're looking into.
 12 Ms. Grubbs, thank you for finding a way to support
 13 that. And then I want to also thank Ms. -- Member
 14 Ghazal for pointing out that maybe Field's presentation
 15 was not appropriate today. And you, John, for agreeing
 16 with that because we don't want to cause a problem with
 17 Field's, it's so important. There are multiple,
 18 multiple, multiple errors in what he's found.
 19 And the State Election Board needs to let the
 20 legislator and they need to know it now. That's the
 21 reason he was trying to get it put in today. Y'all look
 22 in that package. You got it. Please make sure that the
 23 legislator know what we've got is a major malfunction.
 24 We're voting outside of HAVA.
 25 We need to be voting within the guidelines of HAVA.

Page 184

1 Thank you all for what you do. Thank you for hearing me
 2 today and God bless United States.
 3 CHAIRMAN FERVIER: Safe travels.
 4 EXECUTIVE DIRECTOR MILLS: All right. We've got
 5 Debbie Fisher. And then after that is Debbie Stare and
 6 Rick Schroeder.
 7 DEBBIE FISHER: Thank you. Debbie Fisher, Cobb
 8 County. And I'm here to talk about a couple of things
 9 that were discussed yesterday that are near and dear to
 10 my heart being from Cobb County Board of Elections. And
 11 one of them is charging people for exercising their
 12 right to challenge voters. I was highly opposed to that
 13 policy that we wrote and I'm still opposed. And I
 14 applaud you for taking this up for consideration on
 15 actually prohibiting charges from being made. And I'm
 16 going to give you an excuse why.
 17 I did a analysis on our voter rolls. I came up
 18 with 7,000 voters that were all on the inactive voter
 19 list for over 10 years. There was about 3,800 that had
 20 been on there over 12 years. Need I say more? You're
 21 going to charge me, but tell me, oh no, we can't do that
 22 because they'll come off eventually. So I really
 23 applaud you for doing the challenge on the charging.
 24 And then also I want to talk a little bit about the
 25 poll pass in Cobb County. We had a bit of interesting

Page 185

1 election for the primary. Dr. Jan went through a lot of
 2 the issues earlier, but I want to say one thing. I'm
 3 mandated to certify the election no matter what. It's a
 4 ministerial duty. I'm just there as a check mark.
 5 But what I couldn't determine from those poll
 6 passes did the votes cast match the ballots cast and I
 7 could not determine it. And the reason I couldn't
 8 determine it, I was not given the reports that I
 9 requested.
 10 SEAN WHITE: Your time has expired.
 11 MEMBER GRUBBS: Ms. Fisher, I want to make one
 12 comment, and I would really appreciate it if you could
 13 get with some other board members and get me a list of
 14 all the documents you need.
 15 DEBBIE FISHER: Well, give me five more minutes to
 16 talk.
 17 MEMBER GRUBBS: I can't do that.
 18 DEBBIE FISHER: I'm kidding.
 19 EXECUTIVE DIRECTOR MILLS: Thank you.
 20 MEMBER GRUBBS: Is this an agreement with your
 21 other counterparts over here? Can you let them see it
 22 and see if there's anything?
 23 DEBBIE FISHER: What do they have to do with my
 24 list?
 25 MEMBER GRUBBS: I'm trying to look for uniformity

Page 186 1 in what board members need in order to certify. 2 DEBBIE FISHER: I'll email them. 3 EXECUTIVE DIRECTOR MILLS: Okay. All right. Next 4 Debbie Staire and then after that Mr. Schroeder and then 5 Kristen Neighbors. 6 DEBBIE STAIRE: Hi, I'm Debbie Staire. I'm a 7 Forsyth County BRE member, but my statements are my own. 8 At the last meeting in Dawsonville, an election director 9 talked about working on Sundays. This is a regular 10 occurrence for many directors. I feel appreciation for 11 the tireless work of elections employees has been lost. 12 Laws, rules and petitions are seemingly made without 13 consulting elections officials. The opinions and needs 14 of elections officials should be considered. They are 15 the ones implementing elections. They have much 16 experience and advice to offer. Thank you to all 17 election workers. 18 EXECUTIVE DIRECTOR MILLS: Thank you. Rick 19 Schroeder and then after that Cindy Battles. 20 RICK SCHROEDER: I'm Richard Schroeder. I want to 21 extend my sincere appreciation to Janelle and Kelvin 22 King for their extreme efforts in Kelvin's campaign for 23 Secretary of State. I regret that despite the hundreds 24 of thousands of dollars, the thousands of miles and the 25 hundreds of locations around the state that they both	Page 188 1 You called Raffensperger in to answer the questions 2 relating to the certification of the 2020 Fulton County. 3 He did not show up. Just like he did not go to the 4 Kerling versus Secretary of State trial. These 5 discrepancies -- look, we get our dominion from the 6 first page in the Bible. If we aren't voting on paper 7 ballots and checking them in the precinct -- 8 SEAN WHITE: Your time has expired. 9 RICK SCHROEDER: God is not pleased. 10 CHAIRMAN FERVIER: Thank you, Mr. Schroeder. 11 EXECUTIVE DIRECTOR MILLS: Thank you, Mr. 12 Schroeder. And, Mr. Schroeder, I do want you to know 13 when this board adjudicated that -- if I remember this 14 right, the 2022-015 cross tabulation case, this board 15 sent that to the AG's office with fines associated with 16 it. And that is in the process. I just want you to 17 know, that is in the process. 18 RICK SCHROEDER: Oh, I thank you for your efforts. 19 And all day today, we've been talking about, send it to 20 the AG, the AG. You know, our first meeting way back 21 when Duffy was here -- 22 EXECUTIVE DIRECTOR MILLS: Well, now, I can't let 23 you keep going. 24 RICK SCHROEDER: No, I'm not going to keep going. 25 But those three are crooked as a dog's hind leg.
Page 187 1 attended, he did not even get in the runoff. His name 2 is added to the list of honorable candidates who have 3 been thrown into the loser pool. 4 I'm very disappointed along with so many Georgia 5 electors who are thoroughly disgusted with the control 6 of election. The vulnerable Dominion machines got to 7 go. We know they're designed and built to control 8 elections with no detection. We have tens of thousands 9 of known violations just through Joe Rossi's position. 10 We have tens of thousands of challenges against Fulton 11 County that have yet to be explained how they certified 12 an election with so many unexplained violations up by 13 Joe and Jason Frazier. We have hundreds of thousands of 14 votes that were certified in Fulton County challenged by 15 David Cross and acknowledged by the county 16 superintendent that had no signatures on the tabulator 17 tapes. 18 I do not see any corrective action. Just three 19 weeks ago, I had forced to vote on the same illegal 20 system again. It's for this reason that I demand 21 charges against our secretary of state for the failure 22 to perform his duties as secretary of state as stated in 23 368. It's your duty -- your duty to promulgate the laws 24 and investigations that nobody has been charged for any 25 of these transgressions nor crimes.	Page 189 1 EXECUTIVE DIRECTOR MILLS: All right. Ms. Cindy 2 Battles, hold on to that Bible, put it a little closer 3 to your heart. 4 CINDY BATTLES: I don't know quite how to follow 5 that. Hi, everybody. My name is Cindy Battles. I am 6 the policy director with the People's Agenda. I 7 appreciate the opportunity to speak. I am going to be a 8 little bit of a, beat a dead horse kind of person, 9 because we've talked several times about the Open 10 Meetings Act and sort of this kind of one foot in, one 11 foot out situation that we have going on with the Open 12 Meetings Act. 13 The last meeting during what was described as the 14 executive director's report, we had appropriations 15 requests. The last minute edition of this presentation 16 that was almost in conflict with the fact that there was 17 an ongoing investigation. It is creating issues that I 18 don't think y'all mean to create. I think that y'all 19 have the best of intentions. 20 I just think that we need to be a little more 21 careful about how we're adding things to the agenda for 22 transparency's sake, and so that we are, I say we, like 23 I'm up there, so that you are -- I apologize, not only 24 fully committed to the letter of the law, but the spirit 25 of law as well. Thank you very much.

Page 190

1 EXECUTIVE DIRECTOR MILLS: Thank you. All right.
2 Let's see. Victoria Cruz, Garland Favarito, and Mandy
3 Schultz.
4 VERONICA CRUZ: Good afternoon. I'm Victoria Cruz
5 from Oconee County. I did not attend yesterday, but I
6 was watching from the home, and I just want to commend
7 Dr. Richards on his fantastic presentation of ELLY. And
8 I learned a lot about his background from you, Dr.
9 Johnston. Thank you. I had no idea. The man is
10 brilliant. He is recognized as brilliant outside of his
11 home state of Georgia.
12 But here, as I was watching the comments in the
13 Zoom, and also the people who were coming up here, they
14 were saying that he was a fraud, that he has no
15 credentials, that nothing he does is worthwhile, and
16 should be very suspect, and I just think they do a
17 disservice to Dr. Richards, who is brilliant, who is
18 recognized as helpful in other states, and soon, I hope,
19 will be recognized as helpful here, because God knows,
20 Georgia needs help with its voter rolls.
21 The voter rolls are terrible. There's a lot of
22 reasons for that. It's the NVRA with motor voter. It's
23 Governor Kemp, or whoever did, put in automatic voter
24 registration and won't let it come out. There is no
25 reason why everybody who gets a driver's license, or

Page 191

1 comes and renews and gets another driver's, another
2 voter ID, this is the cause for our terrible voter
3 rolls, and that should be changed. We should change
4 that. Also, Eric -- Eric does nothing. It doesn't
5 check for citizenship. It can't find dead people.
6 There are so many, Eric's only expertise is adding
7 more voters to the voter roll, because they send things
8 back. They send people who didn't wanna be registered
9 back to the counties to be registered. Forces them to
10 contact over 90 percent of them every couple months, and
11 then -- well, I won't go into what Biden did when he was
12 in. Anyway, Georgia ranks very low across the world --
13 SEAN WHITE: Your time has expired.
14 VERONICA CRUZ: -- in elections, and it needs to be
15 fixed.
16 EXECUTIVE DIRECTOR MILLS: All right. Thank you.
17 Garland Favarito, and then Mandy Schultz.
18 GARLAND FAVARITO: I want to thank the board for
19 representing all voters and Republicans, Democrats, and
20 independents like myself for election night transparency
21 in regards to the secret bunker. Member Grubbs and
22 Member Johnston, which is with a T, Mr. Chairman, they
23 cited 21-2-406. I wanted to read for you a paragraph,
24 though, from a motion to dismiss filed by Secretary of
25 State's attorney, Mr. Anulowitz. He cites the code

Page 192

1 section.
2 Superintendents, poll officers, and other officials
3 engaged in the conducting of primaries and elections
4 held under this chapter, it's chapter two, shall perform
5 their duties in public. Then in the next sentence, he
6 says, the secretary is not an official engaged in the
7 conducting of primaries and elections. We call that a
8 lie where I come from. The secretary is not engaged in
9 official conduct of primaries and elections. So I was
10 wondering, where did he get this from? Did he just make
11 this up?
12 And, no, he happened to attach Exhibit B, which is
13 a May 12th letter from Elizabeth Young to Mr. Fervier,
14 Chairman Fervier, and it says the same thing. County
15 superintendents and other officials, local officials,
16 conducting primaries and elections. The county
17 superintendents and other local officials conduct
18 primary elections, not the secretary.
19 Now, we all know in this room that the secretary
20 verifies, aggregates, publishes, and certifies
21 elections, and yet we are listening to these lies, and
22 this lie was propagated to the board. Ms. Young goes on
23 to say that Article 11 and 12 make that okay, but it's
24 chapter two. They all apply to chapter two.
25 So, Ms. Young, I would ask you to resign. This is

Page 193

1 false. You can find a job where you don't need to lie
2 like this.
3 SEAN WHITE: Your time has expired.
4 EXECUTIVE DIRECTOR MILLS: Okay. Let's see, next
5 is Mandy Schultz and then Marla Tepper. Did I pronounce
6 that right?
7 MANDY SCHULTZ: Hi, my name is Mandy Schultz. I'm
8 a Fulton County voter. This board replaced two
9 investigators with law enforcement backgrounds who
10 resigned in March with a man who has none. Jason
11 Frazier started work May 18th at \$70 an hour of taxpayer
12 money, announced only as one of several unnamed
13 part-time investigators on a Zoom meeting. No law
14 enforcement background, no investigative credentials,
15 just a resume that couldn't get him appointed to the
16 Fulton County Election Board twice because commissioners
17 saw exactly who he is.
18 Three weeks before starting, he was on Steve
19 Bannon's podcast trashing Georgia's elections. In
20 January, he was photographed cheering outside Fulton
21 County as FBI trucks hauled away the 2020 election
22 records. The DOJ has brought zero charges from that
23 raid, zero. This is the same man who challenged nearly
24 10,000 Fulton County voter registrations and 25,000
25 statewide by his own count.

Page 194 1 Dismissed, the vast majority dismissed. Yet this 2 board handed him a badge and a taxpayer paycheck. When 3 the AJC started asking questions, then Vice Chair 4 Johnston didn't fend him on the merits. She asked who 5 told them and floated filing an ethics complaint against 6 the newspaper. Her word, should we file an ethics 7 complaint? I don't know who to file it against other 8 than AJC or an unknown leaker. 9 The board finally named Jason Frazier publicly 10 today, one week after the AJC had to file an open 11 records request to find out who he was. Member Ghazal 12 called it, this will foment public distrust in our 13 elections and further marginalize themselves, beating 14 the board into further irrelevance. She's right. 15 And regarding public comment, the board's decision 16 to restrict public comment on day one to roll petitions 17 only, it's enforcing everyone else to the end of day two 18 is suppression dressed up as procedure. Citizens are 19 carving time out of their day and you don't get to 20 dictate their speech. Thank you. 21 EXECUTIVE DIRECTOR MILLS: All right. Let's see. 22 Marla Tepper. 23 MARLA TEPPER: Good afternoon. My name is Marla 24 Tepper and I'm a voter in Georgia and also a poll 25 worker. I'm going to address three points. First, I	Page 196 1 Also as a poll worker, I know that significant 2 operational changes require training, planning and clear 3 procedures. Such changes should not be implemented 4 through a resolution that effectively bypasses the 5 rulemaking process. Thank you for your consideration of 6 my thoughts and also for your service. 7 EXECUTIVE DIRECTOR MILLS: Thank you. I believe 8 Randall Jordan is next -- I'm sorry, Richard Jordan. 9 RICHARD JORDAN: Mr. Chairman, board members, for 10 the record, my name is Richard Jordan. I'm hereby 11 formally filing notice of criminal complaint entitled 12 Richard Jordan and Truthseekers versus Cherokee County 13 Board of Elections. This notice ensures compliance with 14 all applicable statutes of limitation. 15 The evidentiary statement of facts and laws will be 16 submitted separately, specifying federal and Georgia 17 statutes allegedly violated over a four-year period. 18 Evidence will demonstrate a continuing pattern of 19 unlawful conduct, warranting, investigation, and where 20 appropriate, criminal prosecution. 21 Please note two primary alleged violations. First, 22 complainant's constitutional right to petition 23 government for redress of grievance. In support of this 24 effort, approximately 150 sworn affidavits were gathered 25 and lawfully submitted, including affidavits from at
Page 195 1 agree with an earlier speaker about balanced 2 presentations. When the board invites presenters as it 3 did yesterday, I encourage you to seek balanced 4 participation by including speakers with differing 5 perspectives and expertise. Both the board and the 6 public are best served when important issues, especially 7 technical issues are examined from multiple viewpoints. 8 Second, an earlier speaker spoke about transparency 9 and the Open Meetings Act. I agree with those comments. 10 The public deserves meaningful notice of board business. 11 Agendas, proposed actions and emergency meetings should 12 be noticed as early as possible. This ensures that 13 voters, election officials and poll workers and those of 14 us who attend meetings have a genuine opportunity to 15 review and respond consistent with the spirit of 16 Georgia's Open Meetings Act. 17 Finally, I'm concerned about the resolution adopted 18 today regarding election procedures that will happen in 19 the absence of action by the General Assembly. This was 20 described as guidance to counties, but it appears to 21 contemplate substantive changes to election 22 administration. If new requirements are being created, 23 they should be adopted through notice and comment, 24 rulemaking or lawful emergency rulemaking if 25 circumstances require it.	Page 197 1 least three electors from each of the 42 precincts in 2 Cherokee County. 3 The petition was allegedly ignored and subsequently 4 discarded without consideration. Second, Georgia's RICO 5 statutes, based upon multiple alleged criminal acts, 6 collectively demonstrate a pattern of unlawful conduct. 7 The constitutional and statutory rights of American 8 citizens are fundamental and must be protected. 9 These rights include petitioning government, 10 participating in elections, receiving equal protection 11 under the law, and preventing abuses of authority. Of 12 particular importance is the right of every elector to 13 cast a ballot freely and lawfully, with confidence that 14 election procedures will be faithfully followed. The 15 integrity of the election process depends upon 16 safeguarding these rights and ensuring due process under 17 the law. I thank you for your time. Thank you. I want 18 to submit this into the record, please. 19 EXECUTIVE DIRECTOR MILLS: Okay. 20 SEAN WHITE: I'll take it. I'll take it. 21 EXECUTIVE DIRECTOR MILLS: Yeah, if you'll hand it 22 to Sean. Okay. Ms. Julie Adams. 23 JULIE ADAMS: Thank you. I'm Julie Adams from 24 Fulton County. I just want to talk about our last 25 election on May 26th, which was the day that we were

Page 198 1 certifying the election. And I just want to say that 2 I'm very proud of that day. I came into the department 3 to find out that we were receiving ballots. Now, in all 4 honesty, they did text me the afternoon before, or not 5 text me, email me the afternoon before to let me know 6 that that was Memorial Day and I was able to check my 7 email then. 8 When we were re-scanning ballots, we re-scanned six 9 early voting locations and six election day locations. 10 That's a lot of ballots we were re-scanning. So the 11 email that I got, actually mine didn't say anything, but 12 the one that was sent to the Republican Party said that 13 they would be starting at 7:00, and that they would be 14 done by 3:00. We didn't get our statement of votes cast 15 until 4:14 on Tuesday when we were certifying by 5:00 16 because they were re-scanning the ballots. 17 As a matter of fact, they didn't even have time to 18 give us a copy. It was on the computers that we can 19 see. They're all locked up. It's hard to see anything. 20 But I did get a copy of it. They chased me out, walking 21 out of the building, gave me a warm copy of the 22 statement of votes cast before five o'clock, right 23 before five o'clock on certification day. 24 Another thing I want to tell you really quick 25 that's really concerning to me, I don't know if it's	Page 200 1 United States. 15 million addresses were void in 2 AVIDOTE, seven percent of them all. In Georgia, we have 3 about two million names that are void in instance. We 4 have 3.7 million addresses that need to be reviewed. 5 The U.S. Postal Service says they are void in 6 AVIDOTE. They are fictitious. These need to be 7 reviewed. At this point, we have roughly 2.2 million 8 registrations on the Georgia voter rolls that have no 9 eligibility to vote in the next election. They are 10 classified according to the definition, strict guidance, 11 the same as somebody who shows up dead to vote. They 12 have no eligibility. 13 I'm going to skip through that, and I'll leave it 14 with you to think about. I'm just letting you know, 15 it's a heads up. There's nothing I can do about it, but 16 somebody is going to challenge it someday. Thank you 17 for your time. Thank you for being generous with me and 18 allowing my comments. You all are doing wonderful work 19 for the state of Georgia and its citizens, and I thank 20 you graciously. 21 CHAIRMAN FERVIER: For those of you who aren't 22 familiar with the term, it means void from the 23 beginning. I had to look that up last night. 24 EXECUTIVE DIRECTOR MILLS: One more speaker, and I 25 would ask for everyone's undivided attention, please.
Page 199 1 legal, but on Friday, which was the pre-certification 2 meeting, because we had so many changes in our 3 processes, I asked for ballot recap sheets, which were 4 not on our list for our policy. And I didn't get a 5 second vote to be able to see ballot recap sheets, the 6 most fundamental from the precinct -- 7 SEAN WHITE: Your time has expired. 8 JULIE ADAMS: Thank you. 9 EXECUTIVE DIRECTOR MILLS: Okay. Let's see. We're 10 close. We're getting close. Dr. Rick Richards. 11 DR. RICHARDS: I want to start out talking about 12 compliance. I've listed two helpful guys, one on the 13 left and one on the right. The National Mail Voter 14 Registration form requires full name, requires home 15 address or equivalent. Then on the form itself, it 16 requires a full name. The DOJ guidance stated that 17 states can remove people who were ineligible or 18 improperly registered in the first instance, including 19 those with fictitious names, fictitious registrations, 20 and similar circumstances. And Georgia's own 21 application declares it a felony to do a void in 22 AVIDOTE. 23 The address is void in AVIDOTE. I looked through 24 the data for 46 states, and I found 101 names were void 25 in AVIDOTE. 43 percent of all registrations in the	Page 201 1 And that is former Vice Chair, Dr. Jane Johnston. 2 VICE CHAIR JOHNSTON: The talk today is what 3 counts. The Oxford Dictionary gives several definitions 4 of the word count. Count, first, to determine the total 5 number of something, like voters, ballots, votes, 6 batches loaded report, opening count, protected count, 7 closing count, results tallied and pointed. It's no 8 secret I like to count. I like numbers. I like data. 9 I like measurable, verifiable results. 10 Number two count, to take into account, to include, 11 like active and inactive voter registrations, risk 12 benefits, vaccine to voting, election security, 13 mitigation of security risks, voter confidence, 14 transparency, accountability, and every factor that 15 contributes to a trusted election process. And the 16 third definition, count, to be significant, to matter, 17 to stand for integrity, truth, freedom, life, liberty, 18 the pursuit of happiness. And the principles that 19 define us as a people. 20 So what counts? Who counts? Why does it count? 21 Where, when, and how does it count? In other words, 22 what matters? What matters in elections? What matters 23 in public service? What matters in Georgia, our 24 country, in our lives? The answer to those questions 25 reveal our character, our values, our priorities, and

Page 202

1 our commitment to those we serve.

2 From the first day of my appointment to the state

3 election board until today, I have been committed to the

4 election integrity of the people of Georgia, for the

5 voters of Georgia, and for the future of Georgia.

6 Serving on this board in the years following one of the

7 most scrutinized and debated elections in our state's

8 history was both challenging and meaningful. Questions

9 raised by citizens deserved attention, and the concerns

10 expressed by voters deserved to be heard.

11 A former board member told a New Yorker, we're

12 supposed to be a quiet group of lawyers making sure the

13 trains run on time. The board did not know that the

14 train had gone off the track. If the board did not take

15 the measure, take measure, of the 2020 election, learn

16 from the experience, it would lose the opportunity to

17 correct, to improve, and prevent a repeat of the same

18 mistakes.

19 What the 2020 election really did was to awaken the

20 whole country to question our elections and how they're

21 conducted. And that is good, and that is needed. I've

22 always believed that examining our processes of learning

23 from experience and pursuing continual improvement

24 strengthens our elections and strengthens public

25 confidence.

Page 203

1 Over the past four years, I've remained steadfast

2 in my conviction that election integrity is not a

3 destination, but an ongoing responsibility, regardless

4 of where we stand on specific policies. Every Georgian

5 deserves elections that are secure, transparent,

6 accurate, and worthy of public trust. When I look back

7 at remarks I shared with this board four years ago, I

8 realize something remarkable.

9 My core beliefs have not changed. If anything, my

10 commitment to these principles has only grown stronger.

11 My priorities regarding election policy remain accurate

12 and current voter rolls, excuse-only absentee voting,

13 zealous protection of vulnerable voters, shortened

14 number of voting days, photo identification and

15 signature match, U.S. citizen-only voting, hand-marked

16 paper ballots, no more electric voting systems,

17 handwritten numbered list of voters, end-of-all-voting

18 of the polls closed on election day, and transparency in

19 all aspects of elections.

20 But today, I want to leave you with a different

21 list, not election priorities, but life priorities. Ten

22 things that count. Ten things that matter. Purpose and

23 commitment. Integrity. Truth and honesty. Respect.

24 Freedom and opportunity. Country and constitution.

25 Courage. Friendship. Family. And faith. These are

Page 204

1 the things that endure long after meetings adjourn,

2 letters are sent, notifications are sent, terms of

3 service have come to an end.

4 It's difficult to say, but today will be my last

5 day serving on the state election board. It has been an

6 honor to represent the Republican Party as a member of

7 this board. I'm grateful for the opportunity, the

8 responsibility, and the trust that was placed in me.

9 Most of all, I am grateful for the people I've met along

10 the way.

11 During the past four years, I've had the privilege

12 of working with board members, legislators, dedicated

13 citizens, election officials, advocates, volunteers,

14 friends who care deeply about our state and our country.

15 Your encouragement, support, and friendship have meant

16 more to me than words can adequately express.

17 Challenges have been a way of revealing character, and

18 I've been blessed to discover the kindness, loyalty, and

19 generosity of so many people during this journey.

20 The decision was not an easy one. Family and

21 personal responsibilities require my attention at this

22 time, and they must come first. While I may be leaving

23 the board, I'm not leaving the cause. My commitment to

24 election integrity remains as strong as ever, and I will

25 continue supporting efforts to strengthen confidence,

Page 205

1 transparency, and trust in our elections.

2 Thank you to my political partners, to the staff,

3 to elected officials across Georgia, and to the

4 countless citizens who have engaged in this process.

5 Thank you.

6 CHAIRMAN FERVIER: She's not done yet.

7 VICE CHAIR JOHNSTON: I only have five more pages.

8 CHAIRMAN FERVIER: Give it to Salleigh Grubbs.

9 VICE CHAIR JOHNSTON: Thank you for your service,

10 your dedication, your willingness to participate in the

11 work of self-government. May we never stop striving to

12 make our elections better, our communities stronger, and

13 our state a place where every citizen can have

14 confidence that their voice matters and their voice

15 counts. Thank you. God bless you. God bless the great

16 state of Georgia and the United States of America.

17 So when I was appointed to the board, after a year

18 or so, the challenges that I faced, somebody said, how

19 do you sleep? Isn't it tough? Isn't it stressful? I

20 said, no problem. I sleep like a baby. I wake up every

21 two hours and cry, and then go back to sleep. I wake up

22 every two hours and cry and go back to sleep.

23 Anyway. Thank you from the bottom of my heart.

24 CHAIRMAN FERVIER: Dr. Johnston, I want to thank

25 you for your service to the state of Georgia. You know,

Page 206

1 you and I have battled over a lot of things. We've been
 2 co-workers. We've been opponents. We've done it all.
 3 But I always appreciate your dedication and the time
 4 that you spend. I don't think that people really
 5 appreciate what all these people do.
 6 You know, we get paid a very small per diem for a
 7 nine-hour meeting. But we all spend so many hours
 8 outside of these meetings, preparing for meetings and
 9 doing other things. I know Dr. Johnston spends probably
 10 more than anybody on this board, frankly. And, you
 11 know, that's the unseen part and the really
 12 unappreciated part.
 13 And she's always been extremely dedicated to our
 14 police. And I told her a long time ago that she and I
 15 both want to get to the same place. We're just some
 16 kind of different on how we want to get there. But
 17 we're both believe in fair and honest elections with
 18 integrity. And I appreciate anybody, much like I said
 19 to the worker earlier who was a policeman in the past, I
 20 appreciate anybody that gives up that kind of time and
 21 commitment to the state of Georgia or to our nation.
 22 So I personally want to thank you. This is a big
 23 surprise to me, but you surprise me a lot at these
 24 meetings. But I want to thank you for your commitment
 25 and your time to the state of Georgia. And I appreciate

Page 207

1 everything you've given to the state of, I really do.
 2 Sincerely do.
 3 MEMBER KING: I'm going to say a few words to my
 4 friend. I'm a little emotional, because we became more
 5 than board members. And I'm grateful. You know, it's a
 6 blessing to have people in your life who are mature, who
 7 exemplify what they expect from you. And she's taught
 8 me a lot. When I got on this board, I was nervous. And
 9 having her beside me to help and answer questions and be
 10 a part of it encouraged me. It's been fabulous.
 11 So, yeah, we've laughed a lot. I'm going to miss
 12 you. I know that we'll have a replacement. But I'm
 13 going to miss you. But just know that you've been more
 14 to me than just a board member. Thank you for the phone
 15 calls, the advice, the lady advice, all the good stuff.
 16 I love you.
 17 CHAIRMAN FERVIER: Anybody else?
 18 MEMBER GRUBBS: So, I know that there's some of the
 19 room that are going to be really unhappy that was not on
 20 the agenda. But -- Yeah, he violated Sunshine Laws by
 21 not putting an announcement on the agenda. I love Dr.
 22 Johnston. And what has broken my heart sometimes are
 23 the attacks that have been lodged by the public against
 24 Dr. Johnston.
 25 The attacks sometimes that are lodged under the

Page 208

1 Gold Dome. I was so disappointed this last session to
 2 see Dr. Johnston just advocating for some legislation to
 3 make elections better. And this one legislator was so
 4 dismissive. And, y'all, this was not even a Democrat.
 5 This is a Republican, okay. Just so you know, elections
 6 for us is not a partisan issue. It is a non-partisan
 7 issue.
 8 And, you know, Dr. Johnston and Janelle have been
 9 attacked for being the MAGA extremists, the right-wing
 10 extremists. It was never about a president. It's never
 11 been about proving something stolen. You can see every
 12 single election board meeting that we have, there's
 13 constantly new issues that happen. There are constantly
 14 imbalances in voter rolls. There's constantly a lack of
 15 process. There's constantly runaway decisions. There's
 16 constantly us not having, you know, full support as
 17 other boards do in the state of Georgia.
 18 Administrative boards are just part of the
 19 government. And yet, we are treated like the renegade
 20 stepchild most of the time. I will say just about all
 21 the time. Even the Marijuana Board gets over a million
 22 dollars more than we get. No offense to them, but it's
 23 just, you're right, it has priorities. And I can say
 24 that Dr. Johnston has stood in the gap and in the void
 25 for so long.

Page 209

1 When she came on board, I don't think people
 2 realized how difficult it was at the time. It was
 3 fighting uphill constantly by herself. And so, thank
 4 you to the people that have supported her. I, early on
 5 in conversations, happened about who to put on the
 6 board. And Dr. Johnston was the choice, and I fought
 7 very hard to get her on the board. And she's probably
 8 mad at me for it. But she has always been so supportive
 9 and so thoughtful. Even with, you know, little events
 10 and cards and things like that. I don't think I've met
 11 a more thoughtful person.
 12 And so, I don't think people realize how much time
 13 we go through. Like the chairman said, goes into
 14 preparing for the meetings, it takes an awful lot of
 15 time to do it. And she has done nothing but devote all
 16 of her time, effort, and energy, including traveling all
 17 over the state, traveling to other states on her own
 18 dime. I don't think she's even put in for any per diem
 19 reimbursement for the state.
 20 So, I just thank you, Dr. Johnston. I love you. I
 21 appreciate you. I appreciate you. And you leave shoes
 22 that will be very difficult to fit.
 23 VICE CHAIR JOHNSTON: Thank you, Salleigh. I went
 24 to my doctor, and the doctor said I only had a few
 25 months to live. And I said, well, gosh, what should I

Page 210

1 do? And he said, why don't you get appointed to the
2 election board, it will seem like an eternity.

3 CHAIRMAN FERVIER: When I got appointed, they told
4 me it was a day and a half every other month max.

5 EXECUTIVE DIRECTOR MILLS: I just want to say, Dr.
6 Johnston, thank you for your service. Thank you for
7 your friendship. You're one of the strongest ladies
8 I've ever known. And you're to be commended for
9 sticking to your beliefs.

10 You know, sometimes we have to learn in life, and
11 I'm still in the learning process. Some things are what
12 I call just things that we maybe might prefer. And then
13 there are what I call our basic beliefs that we just
14 can't compromise on. But whether or not I wear Converse
15 tennis shoes or whether or not I wear Nike tennis shoes,
16 you know, that's something we can negotiate on. But
17 you're one of those people who decided early on what you
18 could negotiate on and what you couldn't compromise on.
19 And you're to be complimented for that.

20 The persecution that you have endured has only made
21 you a stronger, better person. And it would go without
22 saying, I don't know. A lot of people probably don't
23 know, and I don't know your husband that well, but I've
24 met Frank, and he is to be commended as well. Because
25 what he has endured and him allowing you to serve on

Page 211

1 this board and take our phone calls, our messages, and
2 trying to figure things out.

3 And I just can't say thank you enough for your
4 service. Thank you for what you've done. You're a
5 wonderful, wonderful person. And a lot of people across
6 this state have great respect for you and admiration.

7 VICE CHAIR JOHNSTON: Every day I get up, I first
8 read the paper, and I look to see if I'm in the
9 obituary. I mean, I am older --

10 MEMBER GRUBBS: She wants to take herself off the
11 voter roll, that's why.

12 VICE CHAIR JOHNSTON: And if I'm not in the
13 obituary, I look at the front page to see if I'm on the
14 front page.

15 CHAIRMAN FERVIER: You've been practicing these
16 jokes for a while, haven't you?

17 VICE CHAIR JOHNSTON: And if I'm not on the front
18 page, I get dressed and come to the SEB meeting.

19 EXECUTIVE DIRECTOR MILLS: And I'll take my
20 payments in Ben Franklin's, please.

21 CHAIRMAN FERVIER: I am going to turn over the
22 gavel one last time and let Dr. Johnston adjourn this
23 meeting.

24 VICE CHAIR JOHNSTON: Did I hear a motion to
25 adjourn?

Page 212

1 MEMBER KING: So move.

2 VICE CHAIR JOHNSTON: Is there a second?

3 CHAIRMAN FERVIER: Second.

4 VICE CHAIR JOHNSTON: Meeting adjourned.

5

6 (Whereupon, the proceeding adjourned at 3:41 p.m.)

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Page 213

C E R T I F I C A T E

1 STATE OF GEORGIA)
2 COUNTY OF BULLOCH)

3 I, the undersigned Certified Court Reporter and duly
4 authorized officer pursuant to Rule 28 of the Federal Rules
5 of Civil Procedure, do hereby certify:

6

7

8 That the foregoing deposition of the witness named
9 herein was taken before me and reduced to a typed format
10 under my direction;

11

12 That, pursuant to Rule 30(e) of the Federal Rules of
13 Civil Procedure, the witness was given the opportunity to
14 examine, read, and sign the deposition after it was
15 transcribed, unless otherwise indicated in the record;

16

17 That I am not a relative, employee, attorney, or
18 counsel of any party or participant in this action, nor am I
19 financially or otherwise interested in the outcome of the
20 matter;

21

22 That the deposition, as transcribed, is a full, true,
23 and correct record of the testimony given, including all
24 questions, answers, objections, motions, and examinations, to
25 the best of my ability.

1 This 17th day of June, 2026. *Jamie White*
2

3 Jamie White, CCR
4 Certified Court Reporter
5 No. 4628-9611-1917-4656
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25